OF

SVPREMACIE
IN AFFAIRES
OF

RELIGION.

BY

Sir IOHN HAYVVARD, Knight,
Doctor of Lawe.

LONDON,
Printed by IOHN BILL, Printer to the
Kings moſt Excellent Maieſtie.
M, DC. XXIIII.

2d
410

TO THE MOST Excellent PRINCE, Prince *CHARLES.*

Moſt Excellent PRINCE,

I Had long ſince giuen ouer the conceit of dedicating Books to any great Perſonage. Knowing right well, that as badd bookes cannot receiue countenance from any, ſo good bookes need not: and finding

the one and the other to bee commonly anſwered with ſilence alike. But the very title and inſcription of this booke, ſeemed to challenge your Highneſſe patronage. For to whome ſhould a Treatiſe of Supremacie bee preſented, but (becauſe I would not aduenture to preſume higher) to him who is neereſt in ſucceſſion to ſupreme Dignitie? And happily ſome paſſages may bee found heerein, which are not obuious in other Writers. But I haue beene alwayes a ſtranger to two dangerous attendants vpon eminent perſons: Oſtentation in our ſelues, and flatterie in others.

thers. Yet will I neuer omit to pray to the moſt *High*, to preſerue your *Highneſſe*, both in a ſafe and proſperous ſtate.

Your Highneſſe

moſt humble

and

deuote,

IOHN HAYVVARD.

THE SVMMARIE.

1 THe occasion of this Discourse.

2 The Proposition: That supreme power in Ecclesiasticall affaires, is a right of Soueraigntie.

3 Soueraigne or Maiesticall power must bee perpetuall.

4 Soueraigne power must also be absolute.

5 Affaires of greatest importance are annexed to the Soueraigne Maiestie.

6 Nothing in a State of so great importance as is Religion.

7 Affaires of Religion are to bee managed by those who beare the Soueraigntie.

8 It is dangerous for others to bee depended vpon in regard of Religion.

9 Two policies anciently obserued for auoyding these dangers: To exclude exiernall ceremonies; and to commit the ordering of matters in Religion, to the Soueraigne authoritie within the State.

10 Instance of the first.

11 The second practised by the Iewes. 12 By the Egyptians. 13 By diuers other people.

14 In the Empire of Assyria. 15 In the Empire of Persia. 16 In the Empire and principall States of Greece.

17 In the Empire of Rome, vnder the gouernement of Kings.

18 In the popular State of the Romane Empire.

19 In the Roman Empire vnder heathen Emperors.

20 In

20 *In the Romane Empire, vnder the first Christian Emperours.*
21 *Matters of Externall or accidentall forme in the Church, depended altogether vpon the first Christian Emperours.*
22 *Many Lawes of the first Christian Emperours, attributed vnto Popes.*
23 *Matters of Faith, or of Essentiall forme, ordered by Direction and Authoritie of the first Christian Emperors.*
24 *The eight generall Councells called and confirmed by Emperours.*
25 *A strife betweene the Bishops of Rome, and Constantinople, whether should be greatest.*
26 *Diuers Emperors fauoured the Bishops of Constantinople.*
27 *By giuing this prerogatiue to the Bishops of Rome, the East Empire was dismembred.*
28 *The absolute power of the Bishops of Rome in Eccleſiasticall affaires, reduced the West Empire, not onely to a feeble ſtate; but to be held in Vaſſalage to the Sea of Rome.*
29 *By the ſame power the Bishops of Rome claimed Soueraigntie alſo, ouer diuers principall kingdomes in Europe, and generally ouer all States in the world.*
30 *Diuers diſtreſſes by this meanes occaſioned.*
32 *The Concluſion.*
32 *Certaine Queſtions propounded.*

OF

OF SVPREMACIE IN AFFAIRES OF RELIGION.

IT hapned, that during the time of the Parliament held in the yeare 1605. I dined at the house of the most Reuerend *Thobie Mathew*, then Bishop of *Duresme*, since Archbishop of *Yorke*, a man of eminent esteeme, both for Industry and Abilitie in his Profession: equall both for sharpnes of vnderstanding, and for sweetnesse, both in conuersation and in speech: whose Table being much frequented by persons for different qualities well reputed, and their speeches either excited or maintained by him; had commonly the great varietie of dishes, answered with like varietie of discourse.

The first part of the dinner was passed ouer in a sad and sober silence, our tongues seeming

ming to giue place to the office of our teeth; and euery man commending the goodneſſe of our fare, by cloſe feeding vpon the ſame. At the laſt ſilence was broken, and ſome ſpeeches ſpent in matters of conceit. In which veine, one of the company tooke often occaſion to ſpeak of a *Terrible blow*; alluding to the ſame words in that Letter, whereby the late practiſe againſt his Maieſtie and the whole body of the State, was beaten out and brought into light. By which practiſe, not only the liues of many thouſand particular perſons, and whatſoeuer elſe was deareſt vnto them; but the life alſo of this Empire, was moſt deſperatly endangered.

Hereupon a Gentleman, ſomewhat *more ſeuere* by exerciſing the office of a Iuſtice in his Country, began to open the faſhion of that hoate, and hatefull attempt. And further he proceeded to declare, what faire opportunitie was thereby opened to ſecure our ſelues, from the fiery fury of thoſe home-bred enemies; who, rather then we ſhould not be deſtroyed, would ouerwhelme vs in the ruines of the State: That ſeueritie could not herevpon be interpreted crueltie; that hereupon nothing could be interpreted to be done in regard of Religion, but onely for the neceſſary defence of our ſafetie.

This ſpeech was diuerſly taken, according as affections were diuerſly diſpoſed; ſome did

did liuely, some *faintly*, and (as it was coniectured) *fainedly* approue it; none did openly oppose against it. But heereto the B. said; That as this was suddenly, so happily it was too seuerely spoken. And yet hee seemed to admire either the fortune, or fine dexteritie of the *Italians*: who hauing once obtained the Empire of the chiefest part of the world, and not able to hold it one way; haue contriued, not onely to hold, but exceedingly to enlarge it another. For hauing once acquired the greatest worldly Empire that euer the earth did beare, and not able to maintain the same against the tempestuous iucursions of diuers Northerne nations: they haue since erected a spirituall Empire; comprising not onely the whole sur-face of the earth, but extending to heauen; and to the neerest confines of hell. But (said he) their maintaining of two things, make the truth of their Empire much suspected; *Sedition*, & *Crueltie*: by which meanes the true Church of GOD cannot possibly be either aduaced, or supported. Hereto I will adde perfidious *Equiuocation*; the bane of ciuill Societie, the ouerthrow of all humane Commerce. For it is the proper office of words to declare the mind: but if words should not be taken according either to their naturall or vsual sense, not agreeable to the matter proposed, but according to some reserued construction, howsoeuer ab-

Purgatorie.

ſund, how ſhould the minde be vnderſtood? What ſocietie of men ſhould not bee, I will not ſay of better, but not of worſe condition then a heard of beaſts? Aſſuredly, *God is the Word*: and the more a man, whether groſſely, or by fine ſtratageme of wit, declineth from his Word, the more hee feuereth himſelfe from God.

The maintainance of this paſſage was interrupted by others, who croſſed into ſpeech of the Bill propounded in Parliament againſt Recuſants; and of the Oath of Supremacie, which was appointed generally to be taken. Of the firſt they did but ſparingly ſpeake, as being a matter then handled in higheſt place of deliberation: vpon the ſecond they maintained a longer ſtay. The B. alwayes moderate in his aſſertions, rehearſed many conueniencies for which this Oath ought generally to be taken. Wherto a certaine Knight replied, not directly contradicting him; but involuing his intents in ſuch ſoft and nice diſtinctions, that hee ſeemed rather to declare that he would not haue the Oath impoſed at all, then in what faſhion hee would haue it impoſed.

Theſe obſcure ſpeeches hauing bred ſome incertaintie, whileſt euery man rather coniectured then aſſured what ſhould bee meant. And Controuerſies of conueniencie being not alwayes eaſie to be determined by way

of

of diſcourſe; becauſe all men are apt to attribute much to their owne conceits, in determining what is conuenient: I drew the queſtion to a higher degree. Affirming, that it ſeemed not onely conuenient, but neceſſary alſo in all grounds and reaſons of State; that a King, who acknowledgeth no ſuperior vnder God, ſhould bee acknowledged to haue ſupreame authoritie vnder God in Eccleſiaſticall affaires: That this is a principall point of Regalitie; and therfore neceſſarily annexed to the ſoueraigne maieſtie of euery State: That it is a hard matter, if not impoſſible, for any nation, either to grow, or long time to continue very great; wherin a foraine power holdeth the regiment in Religion: That in all ancient Empires and Common-wealths it hath been vſed, That;

I could not finiſh that which I was about to ſpeake, being interrupted by a confuſed clamour of three or foure at the table; who eſteemed that which I had ſaid, not for a *Paradoxe*, but for an *Adoxe*, or flat abſurditie: ſeeing many Chriſtian countries, both lately and at this preſent, haue admitted forraine gouernment in matters of Religion.

By this time the Baſons and Ewers were ſet vpon the table, and al of vs were attentiue to the giuing of thanks. After we had waſhed, and the cloath was taken away; the B. vnwilling (as it ſeemed) that this Queſtion

ſhould be thus taken off, began in this ſort to renew the ſpeech.

What hath bin the vſe of ancient Empires and Common-wealths, concerning ſupreme gouernment in matters pertaining to Religion; I haue not (I confeſſe) exactly obſerued. But it ſeemeth indeed, that the politicall gouernment in Eccleſiaſticall affaires ſhould be a point of Regalitie; and that it is a hard matter, if not impoſſible, for any State, either to grow, or long time to continue very great; wherein a forraine power holdeth the regiment in Religion. At the leaſt, either to grow or continue any greater, then that forraine power ſhall thinke expedient.

That which from me was openly reiected, being allowed by the B. and in the very ſame words by him repeated, found good acceptance among the reſt. Whereupon I took occaſion to ſay; that ſpeech (I perceiued) was oftentimes like vnto coyne; which paſſed for currant, not in regard of the mettall onely, but chiefely in regard of the ſtampe that is ſet vpon it.

Nay, ſaid the B. beautifying his ſpeech with a courteous ſmile; we will alſo bring your mettall to the touch. There is but one truth in religion, which is not ſubiect to any humane wiſdome or power: but the diſcipline therof, or matters of circumſtance & externall forme, are held by our Church to depēd

vpon

vpon the power of the Prince. If queſtion be made touching matter of ſubſtance, the ſame alſo may be determined within the realme, by the Clergie thereof, aſſembled together by authoritie of the Prince. Or if the Clergie of any other countrey ſhould be taken to aſſiſtance or aduice; they come as equals, and not as ſuperiors. For ſo *Euſebius* [a] reporteth, that *Cyprian* Biſhop of Carthage did aduiſe with the Biſhop of Rome, concerning the affaires of the Church: and that *Dyoniſe* of Alexandria [b] aduiſed in like ſort with *Cornelius*, *Stephen*, and *Sixtus* Biſhops of Rome; without attributing vnto them either title or qualitie, otherwiſe then as men of their owne order and ranke.

a *Euſeb. lib. 6. cap. 34.*

b *Euſeb. lib 6. cap. 46. & lib. 7. cap. 5. & 9.*

Now, I haue read many controuerſies in Diuinitie concerning this queſtion, whereof the multitude doth rather cloy then content; and therefore I will not embarke you in that diſputation. If you can make proofe out of other Writers, that this authority in matters of Religion, is a right of Regality; it will follow (I ſuppoſe) that it cannot without apparant danger depend vpon a forrain power. If alſo you can manifeſt, that in all principall Empires and Common-wealths, this authority hath bin exerciſed by the chiefe in ſtate; you may probably conclude that it is a Regalitie. For theſe rights do little vary; but remain in a manner the very ſame in all States,

of

of what kind ſoeuer they are. And although true religion is reuealed vnto vs by God, yet religion in the generall proceedeth from nature: for as God hath made man to do him ſeruice, ſo hath he imprinted in him an inclination to ſerue him; hee hath ingrauen his Image in the ſubſtance of his ſoule, whereby hee hath capacitie to know, and a deſire to worſhip him. In regard wherof, there is ſome coherence & communitie in all ſorts of religions; as to acknowledge that there is a God; to worſhip him; to worſhip him by oblation and ſacrifice &c. For although all nations do not acknowledge and worſhip the true God, yet there is no nation [c] which doth not both acknowledge & adore ſome. Theſe generall points which naturally, or by conſent of nations are common in religion, may well bee conſidered, without cõtending which religion in particular is true. For this will hardly by all parties be agreed: becauſe euery man (as *Philo* [d] ſaith) either by vſe or by inſtruction iudgeth his owne religion beſt. So [e] *Chryſoſtome* affirmeth, that in all differences of religion, euery man will ſay, [f] *I ſay true*. But this argument which you haue propounded being new; this *point* being not *pointed* at by any whom I haue ſeene; I would gladly heare you fortifie the ſame.

c *Cic. de Nat. Deo. lib. 1.*

d *Phil. de legat.*

e *Chryſoſt. in Act. homil. 33.*

f *Singuli dicunt, ego verum dico.*

The argument being new (anſwered I) and now newly raiſed into queſtion, you muſt not

not engage your expectation too far; I shaldoe much, if I minister some matter for better iudgements to worke into forme.

The rights of Soueraigntie or of maiestie, so tearmed by *Cicero*; and by *Liuie*, the rights of Empire, and of Imperiall Maiestie; by *Tacitus*, *Sacra regni*; by *Aristotle*, κυρίον πολίτευμα; κυρίαν ἀρχὴν; ἄκραν ἐξουσίαν; by the Lawyers, *Sacra sacrorum*; *sacra indiuidua*; *iura sublimia*; by the *Feudistes*, *Iura regalia*; are nothing else, but an *absolute* and *perpetuall* power, to exercise the highest actions and affaires in some certaine state. These are the proper qualities of Soueraigne or Maiesticall power; that it bee both *absolute* and also *perpetuall*. If it bee *absolute* but not *perpetuall*, then is it not soueraigne; for such power hath bin oftentimes committed, by the *Romanes* to their *Dictators*; by the *Lacedemonians* to their *Harmostes*; by many Kings to their Regents, Viceroyes or Lieutenants. But because they haue no proprietie of power inherent in them, but only an execution or exercise therof committed to their charge, vnder limitation of time; because also it may vpon iust cause, and happily at pleasure bee reuoked within that time; they are not accounted to haue the same in Soueraigntie. And this holdeth true, although such power bee committed for a very long time; as the *Athenians* did to their great *Archos* for ten yeares, although ~~also~~ it be committed also

3.

in a moſt ample manner, which the auncient Latines called *optima lege*, without controlement or account; ſuch as had the *Pontifices* in Rome; or as the *Cnidians* euery yeare choſe 60. of their Citizens, whom for this cauſe they called *Amimones*; that is, men without imputation or account. And laſtly, although it be without certaine limitation of time; as ſome times had the Regents of France, created for the infancie, fury or abſence of their King; who before the law of *Charles* the fifth, diſpatched matters in their proper name.

4. Againe, if it be *perpetuall* but not *abſolute*, as either depending vpon ſome other, or elſe giuen either vpon charge, or with exception and reſtraint; then is it not ſoueraigne. For ſuch power was giuen by decree of *Charles* the fifth Emperor to the Senate of Milan; *To confirme the conſtitutions of the Prince, as alſo to infirme and abrogate the ſame; to diſpence contrary to the ſtatutes; to make enablements, giue prerogatiues, graunt reſtitutions, &c. that no appeale ſhould bee made from the Senate &c. And whatſoeuer they ſhould doe, ſhould haue like force as if it were done or decreed by the Prince.* g *Yet might they not grant pardon for offences, or giue Letters of ſafe conduct vnto parties conuicted.* So likewiſe in the ancient forme of inaugurating the Kings of Arragon, the great Magiſtrate or Iuſtice ſaid thus vnto him: *Wee who are in vertue not inferiour, and in power greater then*

g *Nec tamen poſſit delictorum veniam tribuere, aut literas ſalui conductus reis criminum dare.*

then thy ſelfe, create thee King; yet with this condition, that one amongſt vs ſhall haue more power and command then thy ſelfe.

I will not particularly rehearſe what actions are proper to ſoueraigne power: generally it may bee ſaid, that thoſe affaires of ſtate, which are of greateſt importance and weight, are annexed vnto the ſoueraigne Maieſty, and cannot be ſeparated from the ſame. For, becauſe ſome matters are of ſo high nature, that vpon the ordering of them dependeth, not only the honor and dignity, but the ſafetie alſo and libertie of the people; not the flouriſhing conſtitution onely, but the very life & being of the Common-wealth; it hath been thought fit by generall conſent of Nations, that they cannot bee managed by any other authoritie, then that wherein the ſoueraignty is ſetled; whether it be in one man, as in a Monarchy; or in a few, as in an *Ariſtocrace*; or in all, as in a popular or *Democraticall* gouernment. They cannot bee vſurped, they cannot be [h] preſcribed, they cannot bee diſtracted or aliened, they cannot be abſolutely exerciſed by any other, than by them who beare the ſupreme Maieſtie. They to whoſe truſt a Common-weale is committed, muſt order the chiefeſt affaires thereof: they who are appointed for the very head of a Societie, muſt giue both direction and motion to the principall actions of the whole body.

5.

h *Alex. in l. ſilie quam de lib. & poſt. Card. Flor. & Jaſ. in proem. feud. Mart. Laud. in c. 1. qui feud. da. Imola in Rub. de verb. oblig.*

body. And therefore they are tearmed *ſacra ſacrorum* [i], as hath been ſaid; and alſo, *iura indiuidua* [k]: becauſe they are (στηρίγια) the firme foundation and ground-worke of a State, and can no wayes be ſeparated from the ſoueraignetie thereof.

But there is nothing in a Common wealth of ſo high nature, nothing of ſo important weight, as is Religion; for this conſeruet h families, as *Euripides* [l] teſtifieth, and is a moſt excellent ornament in a Common-wealth [m]: yea, *Lactantius* affirmeth it to bee the onely meanes to knit and conſerue men in mutuall ſocietie [n]: and that without religion the life of man would be filled with all fooliſhneſſe, madneſſe and miſchiefe. So likewiſe *Plutarch* [o] calleth religion, *the band which containeth all Societies, and the very foundation of Iuſtice and Lawes* [p]. For as a building cannot be either faire or firme, if the foundation bee not fairely or firmely laid; ſo if there be defect in this part of gouernment, the whole frame of State will bee neither ſeemely nor yet ſure. *Sineſius* ſaith [q]; *Firſt, let piety be ſetled, the baſe and piller whereupon this Statue of a Kingdome ſhall firmely ſtand* [r]. *Plutarch* [s] was of opinion, that a Citie might more eaſily bee built, and not vpon the ground, than a Common-wealth either conſtituted or conſerued, if

i *Bald. in proœm feud.*
k *Cyn. in l ſi viua. C. de bo. mat. Bald. in auth. hoc amplius. C. de fideicom. Ang. Bald in l. omnes. C. de præſcript. Plat. in l. ſi quis decurio. Feli. in Rub. de præſc. Jo. And. in cap. vlt. de præb. lib. 6. Alex. conſ. 141. lib. 1. no. 2.*

6.

l *In Bacchis:* σωτήριον δ' ἄγαλμα.
m *Eur in ſuppl.* χαλὸν δ' ἄγαλμα πόλεσιν εὐσεβὴς πόρος.
n *Tract. de ira. ca. 12. religio & timor Dei ſolus eſt qui cuſtodit hominum inter ſe ſocietatem.*
o *Plut. contra Colot.*
p τὸ σωτηρικὸν ἁπάσης κοινωνίας, καὶ νομοθεσίας ἔρεισμα.
q *Orat. de regno.*
r εὐσεβείαν δ' ἐπιτήδευε πρῶτον· ἐπὶ ταύτης γὰρ ἀσφαλὴς, ἐφ' ἧς ἔστηκε τὸ ἄγαλμα ἡμῖν ἡ βασιλεία. s *Plut. contra Colot.*

you

you take away Religion [t]. And therefore *Numa* in *Liuie* [u] did first of all establish Religion, *as a most effectuall thing to settle the vnskilfull multitude* [x]. Afterwards also *Valerius* [y] witnesseth, that the *Citie of Rome made lesse estimation of all things than of Religion* [z]. For this cause likewise *Aristotle* [a] affirmeth, that *the principall care in a Common-wealth must bee concerning matters of Religion* [b]. First, for that it setleth obedience & quiet within the state; being a bridle to retaine men in order and in awe: for so *Cyrus* reasoneth in *Xenophon* [c]: *If all men should bee religiously affected, they would beare themselues more iust and vpright in carriage, both among themselues and towards him.* Secondly, for that it is an assured defence; for so *Tresmegistus* saith [d], *Pietie is a custodie and defence.* Thirdly, for that it aduanceth victories abroad: For so *Cicero* [e] aduowed, that, *not by policie, not by power; but by pietie, and religion, the Romanes vanquished all other nations.* And in another place: **We surmount not the Spaniards in number, nor the French in strength, nor the Africans in subtiltie, nor the Greeks in sciences: but we outstrip all nations in religion.* And so *Valerius* hath written: [f] *Empires haue not thought much to submit themselues to sacred seruice, supposing to obtaine the*

[t] ἀλλὰ πόλις ἄν μοι δοκεῖ μᾶλλον ἔδαφος χῶρις, ἢ πολιτεία τῆς περὶ θεῶν δόξης ἀναιρεθείσης παντάπασι σύστασιν λαβεῖν ἢ λαβοῦσα τηρῆναι.

u *Liu. lib.* 1.

x *Omnium primum rem ad multitudinem imperitam efficacissimam deorum metum in iiciendũ ratus.*

y *Valer. lib.* 1. *cap.* 1.

z *Omnia post religionem ponenda ciuitas nostra duxit.*

a *Ar.* 7. *Pol. cap.* 8.

b πρῶτον ἡ περὶ θείων ἐπιμέλεια.

c *Xenoph. Pæd. lib.* 8. εἰ πάντες οἱ κοινωνες θεοσεβεῖς εἶεν, ἧττον ἂν αὐτοὺς ἐθέλειν περὶ τε ἀλλήλους ἀνόσιον τι ποιεῖν, καὶ περὶ ἑαυτόν.

d μία φυλακὴ εὐσεβεια.

e *Cic. orat. de aruspic. non callidate ac robore, sed pietate ac religione omnes gentes nationesq; superauisse.* **Cic. de Harusp. resp. nec Hispanos numero, nec robore Gallos, &c.*

f *Val. l. c.* 1. *Non dubitauerũt sacris imperia seruire: ita se rerum humanarum futura regimen existimantes, si diuinæ potentiæ bene atq; constanter essent famulata.*

rule of humane affaires, if they were well and constantly seruiceable in diuine. Also the Poet;

g *Dis te minorem quod geris, imperas.*

Generally, for that in all affaires whether publike or priuate, it draweth our endeuours to a prosperous euent; for the most part better found in the end, than it can be coniectured by the meanes. For so *Aristotle* did acknowledge [h], that God is *more fauourable and inclinable to those by whom he is most honoured.*

On the contrary, it is impossible for that State to stand, much lesse to florish & thriue; where those two extreames of Religion are highly in strength, whereto *Plutarch* [i] saith, the weaknes of man is exceeding prone; [k] the one is vaine superstition; [l] the other is cold carelesnesse and proud contempt. The first *Plutarch* [m] doeth appropriate to barbarous people; *Seneca* [n] termeth it a *mad errour*: *Cicero* [o] saith that it stirreth the minds of men, and maketh them vnquiet. And that it breaketh the courage and heart, *Lucretius* doth in these words affirme:

Faciunt animos humiles formidine diuûm
depressosq; premunt ad terrâm.

The second is called by *Hermes*, [p] *a great disease and sicknesse of the Soule; making it inclinable to all actions that are euill.* From hence ariseth discord and disturbance in the State: from hence great calamities are cast vpon it: which is confirmed by that of *Horace.*

g *Horat.*
h *Arist. Rhet. ad Alex.* τοὺς θεοὺς εὐνουστέρους τοῖς μᾶλλον αὐτοὺς τιμῶσι.
i *Plut. in Camil.*
k δεισιδαιμονίαν καὶ τύφον.
l ὀλιγορίαν τῶν θείων, καὶ περιφρόνησιν.
m *Plut. in Sertorio.* εὐαλώτον εἰς δεισιδαιμονίαν τὸ βαρβαρικόν.
n *Senec. epist.* 124. *Superstitio error insanus est, amandos colit, quos colit violat.*
o *Cic. 1. de finib. superstitione qui est imbutus, quietus esse non potest.*
p *Herm. cap. 12.* νόσος δὲ μεγαλὴ ψυχῆς, ἀθεότης.

Di

Di multa neglecti dederunt,
Heſperiæ mala luctuoſa.

For theſe cauſes *Cicero*[r] obſerued, that the Common-wealth of the Romans was moſt enlarged vnder the commaund *of them, who had religion in regard.* After him *Conſtantine* the Emperor left written, [s] that a Common-wealth is contained in order, *more by religion then by trauell of body.* And *Iuſtinian* alſo profeſſed, [t] that he was more carefull about the gouernment of the Church, becauſe, *If that be kept in good faſhion and forme, the other parts of gouernment ſhall thereby be redreſſed* [u].

r *De nat. deo. li 2. eorum imperiu remp. amplificatam qui religionibus paruiſſent.*

s *l. 16. in qualibet. de Epiſc & cle. C. Theod.*

t *Nouel 42. circa fi.*

u ἔσῳ ἐν εἰρήνῃ φυλαττομένου, καὶ τὸ λοιπὸν ἡμῖν εὐδυνήστου πολίτευμα.

Hereupon alſo it is neceſſarily expedient, that they who beare the ſoueraignitie of State, ſhould alwayes manage the affaires of religion, either by themſelues, or by ſome at their appointment within the ſame State, and neuer receiue direction and rule from a foraine power. For the Church (ſaith *Optatus*) is a part of the State: and (as another ſayd) x *Religion muſt be in a Common-wealth, and not the contrary.* Vpon which ground, *Diotogenes in Stobæus* ſaid; *A perfect King muſt of neceſſity be a good Commaunder, and Iudge, and Prieſt* y. And againe: the *beſt muſt bee held in honour by the beſt, and that which ruleth, by him that beareth rule* z. But *Ariſtotle* in this poynt is moſt expreſſe, (For I muſt often cite theſe Authors to giue ſatisfaction vnto thoſe, who regard more by whom a thing is ſpoken, then

x *Aſer. epiſc. Religio debet eſſe in rip. non contra.*

y ἀναγκαῖον τὸν τέλειον βασιλέα, στρατηγόντα ἀγαθὸν ἑαυτῷ, καὶ δικαστὴν, καὶ ἱερέα.

z δεῖ δὲ τὸ ἄρχειν ὑπὸ τῶν ἀρίστων γίνεσθαι, καὶ τὸ ἀρχόμενον ὑπὸ τῶν ἀρχόντων.

then what is said.) [a] *The King* (saith hee) *is ruler and directer of those things that pertaine vnto the Gods.* Whereunto somewhat agreeth that of *Iustinian* [b]; *Hee is accounted next vnto God by whom the Maiesty of God is maintained.* I will conclude these authorities with that of Saint *Peter*, where hee exhorteth all men to be obedient to the *King*, as to the *Soueraigne* or *Supreame.*

But, how should he be esteemed a Soueraigne, or supreme, who, in the greatest actions and affaires of State, acknowledgeth the Iurisdiction of another greater then himselfe? What maiestie should he be adiudged to beare, who is vnder the authoritie of another man? to reuerse his iudgments, to correct his lawes, to *restraine* or *constraine* him at pleasure and with ease? *Religion* is seated within the soule and conscience of man, and is a most potent ruler of the same: The life (saith *Plinie*[c]) consisteth in religion. If then the consciences of a people be commanded by a stranger, if their soules bee subiect to a forraine power, if their liues be at the seruice of an externall Prince; it is but a weake, but a dead dominion, which the naturall Prince shall hold ouer their bodies. That Prince whose subiects soules are in subiection to strangers for matters of religion, shall neither preuaile more against his enemies, nor beare greater authoritie amongst his owne

a *Aristot. Polit. lib. 3.* Βασιλεὺς τῶν θείων νόμων θεὸς κύριος.

b *Iustin. l. 8. Iure ille à diis proximus habetur, per quem deorum maiestas vindicatur.* Βασιλεῖ ὡς ὑπερέχοντι. 1 Pet. 2.

c *Lib. 14. nat. hist. Religione vita constat.*

owne people, then that ſtranger ſhall limit him leaue.

All men of themſelues are moued with religion [d], but when they are alſo thruſt on by thoſe who make it their purchaſe (as *Liuie* ſpeaketh [e]) to poſſeſſe ſoules with ſuperſtition; then doe they not inconſiderately only, but in a wild fury run and ruſh vpon moſt deſperate aduentures. *The* multitude (ſaith *Curtius* [f]) being *weake, fierce and mutable, when it is once poſſeſſed with vaine religion; is more obedient to their Prieſtes, then to their Commaunder or Prince.*

Diodorus Siculus [g] hath a memorable Hiſtory concerning this point, of the Prieſts of *Iupiter*, in the Iland of *Meroe*, inuironed with the riuer *Nilus*: who held the people of *Æthiopia* in ſo ſuperſtitious dependancie vpon them, that they would ſend to them at pleaſure, and giue in charge the ſlaughter of their Kings; no man making offer either to deny or to delay their cruell command. And ſometimes they would ſend vnto the King himſelfe, that it was the will of God that hee ſhould murther himſelfe; which he would not faile to put in execution. At laſt *Ergamenes*, a King of *Æthiopia* ſuddenly ſurprized and ſlew them all; whereby both their office and authoritie did ſurceaſe.

Florus [h] writeth, that *Eunus* a ſlaue counterfeiting a fanaticall fury, and pretending

8.

d *Cic. in 5. in Verrem. omnes religione mouentur.*

e *Liu. lib. 4. quibus queſtui ſunt capti ſuperſtitione animi.*

f *Curt. lib. 4. vbi vana religione capta eſt, melius vatibus quàm ducibus ſuis paret.*

g *Lib. 6. cap. 10.*

h *Flo. 3. cap. 16.*

some diuine inspiration, was able to set sixtie thousand armed men in the face of the Romans, euen in the principall time of their policie and strength; being then hardly able to deliuer *Sicilia* from his subiection. *Iosephus* reporteth[i] of an Ægyptian in the time of the Emperour *Claudius*, who bearing himselfe to be a Prophet, vnder that pretext adioyned thirtie thousand men vnto him, in the countrey of Iudea; with whom hee maintained head against the forces of the Romans. *Tacitus*[k] writeth the like of *Maricus*, who giuing foorth that he was the God and deliuerer of *Gallia*, drew eight thousand men vnto him, with whom hee attempted against the Romane garrisons.

i *Ioseph. 2. bel. Iud cap. 12.*

k *Tac. 2. hist.*

One of our late Writers[l] reporteth, that because in one Chapter of the *Alcoron*, all the *Musulman* Princes are forbidden to call themselues Lordes, except their *Caliph* or great Vicar of their Prophet *Mahomet*; by colour thereof, the *Mahometan* Bishops vsurped absolute soueraignetie aboue all their Princes; disposing of principalities at their pleasure, vnder the name and title of gouernments. At last the *Musulman* Princes, supposing that Chapter not to haue been inserted by *Mahomet* their Law-giuer; but by their *Caliphes*, for aduauncing their owne authoritie; at such time when of diuers corrupt *Alcorons* they composed one, long time after

l *Bodin. lib. 1.*

after the death of *Mahomett:* they tooke aduantage of a diuiſion among their great Biſhops, when three of them did take vpon them the title of great *Caliph* together; and thereupon the Princes of *Perſia*, the *Curdes*, the *Turkes*, the *Tartars* the *Sultans* of *Ægypt*, the Kings of *Marocco*, of *Fez*, of *Telenſin*, of *Tunes*, of *Bugia*, the people of *Zenetes*, and of *Luntune* quitted themſelues of their obeyſance to the Caliphes, and maintained ſoueraigntie within their States.

Elmahel in Africa [m], hauing gained a great opinion of ſanctitie among the people of Marocco; raiſed them againſt *Abraham* their King; and diſpoyled him both of his Empire and life. [n] With like induſtry and art an other Impoſtor called *Chemin Mennal*, ſtirred the people againſt the King of *Feſſe*; and conſtrained him by armes to yeeld vnto him the kingdom of Temeſna. [o] *Schacoculis* being of the Sect of the Perſians, by pretence of pietie gathered ſuch ſtrength; that hee tooke many Cities in Aſia, ouerthrew the Turkes forces in three great battailes, and brought his whole Empire to a dangerous diſtreſſe. In China there is an ancient Law, that no Religion be brought amongſt them, without allowance of the King, and of his Councell: hee that violates this Law, is puniſhed by death.

m *Leo, lib. 2.*

n *Leo lib. 3.*

o *Annal. Turc.*

How *Iohn* of *Leyden*, a Tailor by his trade,

ſet all Germany in vproare and in armes, by bearing himſelfe to bee a principall man in Religion; it ſcarce exceeds the memory of this preſent age. And what practiſes in this kind, haue been either atchieued, or attempted in other Chriſtian countries, I ſhall haue
9. occaſion heereafter to touch. But for auoyding of theſe and the like dangers, I finde that two policies were aunciently obſerued. One conſiſted in excluding all externall Ceremonies and rites: the other was, in committing the gouernment for matters of Religion, to the ſoueraigne power and authority in the State.

10. In regard of the firſt, the Iewes would not conuerſe or accompany a man who was not of their owne Religion. Among the Grecians; *Socrates* and *Protagoras* were condemned, *Anaxagoras* and *Ariſtotle* were accuſed, for holding opinions contrary to their receiued Religion. *Ioſephus* writeth p, that the Athenians had a ſeuere law againſt any man who ſhould ſpeake a word in Religion, againſt that which was eſtabliſhed by Law. The Scythians put *Anacharſis* to death, for performing the rites of *Bacchus* after the maner of the Grecians. *Liuie* writeth, that among the Romanes, the *Ædiles* receiued in part of their charge, q that no externall Religion or Ceremony ſhould bee brought in. And to the ſame purpoſe *M. Æmilius* recited

Doctrinis variis & peregrinis nolite abduci. Heb. 13. 9.

p *Ioſeph. lib. 2. contr. Appio.* ὥστε καὶ τοὺς ῥημὰ μόνον περὶ τοὺς ἐν εἰνῶν νόμους φθεξαμένους, περὶ θεῶν ἀπεραιτήτως κολάζειν.

q *Ne qui niſi Romani dii, neue alio more quam patrio colerentur*

recited a Decree; [t] *That no man should sacrifice in a publike or sacred place, after a newe or externall rite. How often* (saith the same *Liuie*[s]) *haue our Fathers and Auncestors giuen charge to the Magistrates, that externall Ceremonies should be forbidden? Mæcenas in Dio* [t] gaue this exhortation and aduice to *Augustus*; [u] *Obserue religion after the fashion of your Countrey, and compell others to doe the like: but those who bring in strange and forraine rites, hate and correst; because they perswade many to worke alterations, from whence conspiracies, and seditions are oftentimes occasioned.* And this is so vndoubtedly true, that in our Countrey no Conspiracie or sedition in late ages haue been attempted, but by persons differing in opinion from the Religion publikely established; and commonly for no other cause. And therefore it seemeth an errour, vnlesse it bee vpon speciall cause, to vse either the counsell or imployment of those, who disagree in Religion: especially if the Religion be such, as it alloweth of any meanes for attaining the desired ends.

Concerning the second point, *Iustine* [x] reporteth that it was a custome among the Iewes, to haue the same men both Princes and Priests. This was at sometimes true in the gouernment of the Iewes. At other times the Kings gaue order in matters of Religion, and appointed not only inferiour

[t] *Liu. lib. 15. ne quis in publico sacroue loco, nouo aut externo ritu sacrificaret.*

[s] *Lib. 39. quoties patrum auorumq; ætate negotium magistratibus datum est, vt sacra externa fieri vetarent.*

[t] *Dio lib. 52.*

[x] τὸ μὲν θεῖον παίτη πάντως αὐτός τε σέβου, κ̀ τὰ πάτρια, καὶ τοὺς ἄλλους τιμᾶν ἀνάγκαζε· τοὺς δὲ ξενίζοντάς τι περὶ αὐτὸ μίσει καὶ κόλαζε. ὅτι καινά τινα δαιμόνια οἱ τοιοῦτοι ἀντεισφέροντες, πόλλους ἀναπείθουσιν ἀλλοτριονομεῖν; Κἀκ τούτου, κ' συνωμοσίαι καὶ συστάσεις, ἑτερὰ αἴτε γίγνονται.

II

[x] *Iustin. lib. 36 Mos est apud Iudæos, vt eosdem reges & sacerdotes haberent.*

Priests and Officers (as did *Iosias* y) but also High-Priests (as did King *Salomon* z) to execute their Office. For this cause *Moses* left in charge, a that the King *should read in the Booke of the Law all the dayes of his life; that hee might learne to feare the Lord his God, and to keepe all the words of that Law, and those Ordinances to doe them.* For this cause also they were sacred with Oyle, to declare (saith *Eusebius* b) both their duty and authority in matters of Religion. From hence it proceeded, that as the Kings proued good or euill; so the true Religion was either obserued or neglected. From hence also *Tacitus* c hath written: *The honor of Priesthood is a great assurance of power to the Iewes.* The Scriptures doe further testifie, that *Melchisedech* was both King of Salem, and Priest of the most high God; and that *Balak* King of Moab offered Sacrifice together with *Balaam.*

y Chron. 35. 2.
z 1 King. 2. 25.
a Deut. 17. 19.
b *Lib.* 1. *Eccles. Hist.*
c *Lib.* 3. *Hist. Iudeis sacerdotii honos firmamẽtum potentiæ erat.*

The Egyptians from amongst whom the Iewes were extracted, and with whom they communicated in many ceremonies; are reported likewise by some, to haue annexed the royall and Priestly dignity together. *Marcilius Ficinus* affirmeth c out of *Plato*, & *Seuerus* in *Stobæus* f, that their custome was to elect Priests out of their Philosophers: & out of their Priests, whom *Diodorus* g placeth next in dignity to the King (as *Strabo* h wri-

c *In præf. lib. Trismeg.*
f *Serm.* 41.
g *Lib.* 2. *cap* 3.
h *Strab. lib.* 11.

writeth of the Prieſts of the Albanes) to make choyce of the beſt approued for their King. Whereupon *Mercurius* the Grandchild of that *Mercurie*, who was Sonne to *Iupiter* and *Maia*, being called by the Egyptians *Tenot*, by the Grecians was named *Triſmegiſtus*; which ſignifieth thrice greateſt; becauſe he was the greateſt Philoſopher (for ſo is he alſo termed by *Tertullian* i) the greateſt Prieſt, and the greateſt King: although *Suidas* coniectureth that name to bee giuen him, becauſe hee did expreſsly write of the Trinity.

i *Aduerſ. Valent.*

Strabo ſaith k, that in Aritia hee was a King who was Prieſt of *Diana*; The ſame is confirmed by *Suetonius* l, and mentioned by diuers Poets, namely *Ouid* m.

k *Strab. lib. 5.*

l *In Calig. c. 35.*

m *De Arte Amand. lib. 1.*

Ecce ſuburbanæ templum nemorale Dianæ,
Partaq; per gladios regna nocente manu.

And *Lucane* n;

n *Lib. 3.*

Quæ ſublime nemus Scythicæ qua templa Dianæ

And *Valer. Flaccus* o;

o *Argonaut. lib. 2.*

—Et ſoli non mitis Aritia Regi.

And laſtly by *Martial* p;

p *Epigram. 64. lib. 9.*

Quæ triuiæ nemoroſa petit, dum regna viator
Octauum domina marmor ab vrbe legit.

The like doth *Hirtius* q report to be obſerued in the Temple of *Belona*, in Cappadocia. The like alſo doth *Virgil* r write of *Anius*.

q *In Bel. Alexand.*

r *Æneid. 3.*

—Rex idem hominum, phœbiq; ſacerdos.

Dio-

13

Diodorus Siculus [l] affirmeth, that the Priests of Pantheon were both Leaders in the field, and also Iudges and Arbitrators in controuersies of right. *Strabo* [t] testifieth, that in Zela, the Priest had supreme both dignity and authority in all things. *Iustine* writeth, that *Mida*, Son of *Gordius*, King of Phrygia, being by *Orpheus* entred into the orders of the sacred & solemne Mysteryes of those times, filled all Phrygia with Religion: wherewith hee more assured himselfe, then hee did by armes. *Tacitus* [u] reporteth, that among the Germanes, it was permitted to no man to beate or bind or otherwise to punish, but only to the priests. *Strabo* saith [x] that in *Cuma* of *Pontus*, the Priest did weare a Diadem twise in the yeere, which is the Ensigne of a King. *Vitruuius* [y] declareth, that among the Trallians, the principall Priest had a Princely Palace appointed for his aboad. *Diodorus Siculus* [z] *Orosius* [a] and *Pausanias* [b] haue written, that the Priest of *Hercules* in Tyre was apparelled in purpure, and did weare a Diadem vpon his head. *Herodiane* [c] hath recorded, that the Priest of the Sunne among the *Phœnicians*, was attired in a long garment, consisting onely of purpure and gold; and did weare a Crowne of gold set with precious stones; and that *Heliogabalus*, being Emperour of Rome did exercise that Priesthood. *Ferd. Lopex* [d] affirmeth, that the King of

l *Lib.5. cap.10.*

t *Lib.12.*

Iust. Lib.11.

u *De mor. Ger.*

x *Lib.12.*

y *Lib.2.c.8.*

z *Lib 17. cap 4.*
a *Oros. lib.4 c 6.*
b *Paus. in Beot. lib.9.*

c *Herodian. lib.5.*

d *Lib.1. Hist. Ind. cap.14.*

of *Malabar* in East India are Priests or Bramenes, and must die in their sacred place, as men consecrated vnto God. *Mahomet* left the Office of chiefe Priest or Bishop annexed to the Regall Dignity, and so did exercise both himselfe: yet they were separated by his successors (peraduenture when the Turkes ouercame them) And yet in the Kingdome of Persia, there resideth in the City of Hispaan the chiefe of their Law whom they call *Mustaeddim:* And in other Cities are certaine peculiar heads, obedient to this chiefe Priest; who are not chosen and displaced at his pleasure, but by the King; who is not only King but Priest as *Mahomet* and *Aly* were.

In the first great Empire, *Berosus* hath left 14
written, that *Ninus* first dedicated Temples to *Iupiter Belus* and *Iuno* his parents; and caused them to bee honoured as Gods. *Zamies* sonne to *Ninias* exceedingly both amplified and adorned these Temples. *Belochus* with the rule of his Empire, exercised also the Office of the high Priest of the same *Iupiter Belus*; and for that cause the name *Belochus* was giuen vnto him.

The Kings of Persia and Media, vnder 15
whose gouernment the second great Empire was founded, are acknowledged by all Writers to haue been inaugurated to be the Princes of their sacred Ceremonies n. And that

n Cic. de diuinit.

thereupon the name *Sophus* was giuen vnto them, from a woollen Veile which they did weare vpon their head: not for price, but for opinion of sanctitie much esteemed. Euen as the *Diall Flamen* was so called among the Romans, for that his head was enwrapped in a fillet of wooll. Such were the wise men reputed to haue been, who came to Hierusalem to honour Christ; euen Kings of Parthia; whereof euery prouince, in number two and twenty, did beare the title of a kingdome.

16. In Athens and Lacedæmonia, the two eyes of Greece, as *Leptines* [e] and *Iustine* [f] doe rightly tearme them; the Ceremonies of their Religion were ordered by their Kings. The Athenians had their βασιλέα, or King, as *Demosthenes* testifieth [g], who was President and chiefe directer in all their sacred Ceremonies. *Xenophon* saith [h], that the Kings of the Spartanes or Lacedæmonians, so soone as they were assumed to that state of dignitie, did discharge also the Office of chiefe Priest, to the celestiall and Lacedæmonian *Iupiter*. *Alexander* the great Monarch of *Greece* did oftentimes offer sacrifice, giue order for their kind of religious obseruations; and at the last commanded diuine honours to be done vnto [i] himselfe.

e *Apud Arist. Rhet. 3. cap. 10.*
f *Iust. lib. 5.*
g *Contra Neeram.* βασιλεὺς τῶν ἀρχὴ τοὺς θεοὺς κυρίος.
h *De Repub. Laced.*
i *Q. Curt.*

17. Among the Romans this was one of their ancient royall Lawes: *Sacrorum omnium potestas*

testas sub regibus esto: Let all sacred matters be vnder the power of Kings. Which Law was stablished by their first King *Romulus*, but seemeth also to haue been more anciently in vse: insomuch as *Seruius* [k] noteth, that *Virgil* alwayes bringeth in *Æneas* as president both in action and direction in all Offices of their Religion. Whereof *Ouid* [l] also seemeth to make mention in these words.

Vtq; ea nunc certa est, ita Rex placare
Numina lanigeræ coniuge debet ouis.

After *Romulus*, *Numa Pompilius* performed all those Sacrifices and Rites [m], which afterward were committed to the *Diall Flamen*. *Dyonysius Halicarnassæus* [n] and *Plutarch* [o] affirme, that hee did beare the Office of *Pontifex*: *Liuie* [p] writeth, that hee committed the same to one of the chiefe Senators named *Marcius*. Of these two Kings *Cicero* [q] saith: *Romulus auspicijs, Numa sacris constitutis fundamenta iecerunt Romanæ ciuitatis.* The Kings succeeding performed the most high and sacred Rites of their Religion; with whom as *Liuie* [r] writeth, the Priests tooke often aduice, concerning Sacrifices and all sorts of ceremonies: Whereupon *Dionysius Halicarnassæus* affirmeth [s] that *they had the principality or chiefest rule of sacred matters, & of Sacrifices, and that all things pertaining to diuine worship were ordered by them.*

After that the Kings were cast out of state,

k *Lib.10. Æneid super illud Virgilij. Vigilas ne deum gens? Ænea? vigila.*
l *Fast.*
m *Liu. lib.1.*
n *Hali lib.2.*
o *Plut. in Numa*
p *Liu. lib.1. Dec.1.*
q *Cic. lib.2. de nat. Deo.*
r *Liu. 1. Decad. lib.2.*
s πρῶτον μὲν ἱερῶν καὶ θυσιῶν ἡγεμονίαν εἶχεν, καὶ πάντα διέκεινε πρὸς τοὺς θεοὺς ὁσίους.

that the chiefest in power had authority to giue order in Religion, it may appeare by the two Decrees of *Senate* before cited out of *Liuie*, for excluding the vse of forraine ceremonies and Rites: but more plainly it appeareth, in that it was decreed; [t] *that no Bacchanals should bee kept either at Rome or within Italy; if any man should esteeme such sacred solemnity to bee necessary, and that hee could not omit it without offence & violation of Religion, hee should declare the same to the City Prætor, the Prætor should consult with the Senate. If it should bee permitted him when a hundred (and no fewer) should be assembled in Senate, that solemnity might bee performed; so that no more than fiue should be present at the Sacifice.*

And although the name of King at that time was hatefull to the Romanes; yet they created a King whom they called *Rex Sacrificulus* [u], or *Rex Sacrificus* [x]: to performe those offices of their Religion, which in former times were proper to their Kings [y]. His Office was not annuall but perpetuall [z]; which ioyned to his high title, lest it should draw him to dangerous attempts, they stripped him of all ciuill authority. Hee might not beare either charge in the Army [a], or Magistracie in the Common wealth. [b] Hee might not make any Oration to the People, nor deale with them about publique affaires. His authority was restrained only to Religion; to offer Sacrifices,

t *Ne qua Bacchanalia Romaneue in Italia essent, si quis tale sacrum solenne ac necessarium duceret, nec sine religione ac piaculo se id omittere posse, apud prætorem vrbanum profiteretur, prætor senatum consuleret: Si ei permissum esset cũ in senatu centũ, non minus essent, ita id sacrum fieret, dum ne plus quinque sacrificio interessent.*

u *Liu. lib. 2.*

x *Gel. lib. 10. cap. 15.*

y *Festus Pompeius lib. 17.*

z *Dion. Halec. lib. 4.*

a *Dionis. vbi s.*

b *Plut. probl. cap. 63.*

crifices, and to determine doubts, if any did ariſe. His perſon was ſacred as *Seruius* noteth [c], ſo that neither violence nor deſpight might bee vſed againſt him: And yet the great *Pontifex* was preferred before him [d]; inſomuch as in their Feſtiuall Solemnities he was placed next to their greateſt *Pontifex*, aboue all the *Flamines* [e]. His Daughters might not bee compelled to become Veſtals [f]. His Wife was called *Regina Sacrorum* [g]; who euery Calends did offer Sacrifice to *Iuno*; her head circled with a white wand of a Pomgranate tree, called *inarculum*; to whom the Veſtals reſorted vpon a certaine day in the yeere, to admoniſh her not to neglect the ſollemne Rites committed to her charge.

They erected alſo a Colledge of *Pontifices* [i], Firſt conſiſting of foure, afterwards encreaſed to eight, laſtly by *Sylla* enlarged to fifteene [k]. Their Office was both to preſerue and interpret all ſolemnities pertaining to their Religion; to keepe a true Record and rememberance of them: to bee carefull that no Romane Ceremony were neglected, and no externall obſeruation brought in: to determine what things were ſacred, and what prophane: to appoint what Sacrifices were to bee offered, vpon what dayes, in what Temples, in what manner, and whence the charge ſhould bee ſupplyed [l]: to decide

c *Aenid. 8. ſuper illud Virgilii. Nec non Tarquinium eiectum Porſenna Jubebat accipere*

d *Liu. 1. Dec. lib. 2. Dionyſ. l. 5. Feneſtel. de Sacerd. cap. 11.*

e *Gel. lib. 10. cap. 15.*

f *Feneſtel de ſacerd. Rom.*

g *Feſtus Pomp. lib. 9.*

h *Macrob. & Ouid. de Faſt.*

i *Liu. 1 Dec. lib. 10.*

k *Appian Plut. Plin. ſecundus de vir illuſt. cap. 75.*

l *Lib. 1.*

doubts concerning funerall Obſequies, performancies of vowes and oathes, obſeruation of feſtiuall times and ſuch like. If in any matter they did differ in iudgement, that was obſerued, wherein the greateſt part, being three at leaſt, did fully agree. They had alſo the interpretation of the Ciuill law [m], which for many yeeres was reputed ſacred among the Romanes. They kept the *Annales* (as *Cicero* ſaith [n]) of moſt memorable Accidents and atchieuements euery yeere, which were termed *Annales maximi*, as *Macrobius* [o] writes; and did ſet them forth in a white Table called *album Pontificium*, out of which it was free for any man to write them. It was alſo a part of their charge to repaire the bridges [p]; which vntil the time that *Æmilius* was Queſtor were made of timber [q], and not faſtened together with any Iron or Braſſe [r]. Theſe were eſteemed ſacred by the Romanes; and if they were in any part decayed, they might not bee repaired but with Sacrifices and other ceremonious obſeruancies. From hence it is commonly ſuppoſed that they were called *Pontifices*; or els as *Zozimus in Theodoſ.* noteth, becauſe the Images of their Gods were firſt placed and worſhipped vpon Bridges. But *Scæuola* (as *Varro* [s] ſaith) did more properly deriue that name from *poſſe* and *facere*, not onely in regard of their eminent authority, but becauſe the word

m *Cic. de legib. lib. 2.*

n *Cic. de orat. lib. 2.*

o *Lib. 3. Saturn cap. 2.*

p *Varr. lib. 1. de ling. lat. Plut. in Numa.*

q *Marlianus in topographia vet. Rom.*

r *Halicar. lib. 3. & 5. Plin. lib. 36. cap. 11.*

s *De ling. lat.*

word *facere* in ancient Latine did signifie to Sacrifice, as *Virgil* speaketh;

Cum facerem vitula——

So *Cicero* hath said, *Pro Murena.*

Iunoni omnes Consules facere necesse est.

And so likewise *Plautus:* *In Asinaria.*

Faciam tibi fideliam mulsi plenam.

The Principall of this Colledge was called *Pontifex maximus*; who, as *Festus Pompeius* [t] and *Valerius Maximus* [u] write, was the greatest Iudge in their Religion. And although other Priests could not beare Empire in the Armie, or Office in the state, [x] or bee carried vpon horse [y], or bee three nights absent from the City [z]; yet the same man might bee Consul or Censor, or Pretor, or *Magister equitum*, (the greatest Offices of that Common-wealth) and also greatest *Pontifex:* As *Liuie* writeth of *P. Licinius Crassus* [a], and *M. Marcellus* [b] and of diuers others.

t *Lib.* 11.
u *Lib.* 1. *cap.* 1.
x *Plut. Probl. cap.* 113.
y *Plut. Probl. cap.* 39. *Gellius lib.* 10. *cap.* 15. *Festus Pompeius lib.* 5.
z *Plut. d. ca.* 39.
a *Liu.* 3. *Decad. lib.* 8.
b *Liu.* 4. *Decad. lib.* 3.

This *Pontifex Maximus* was so highly honnored in the popular state of Rome, that he was reputed to approach neere vnto the degree of dignity, which the Kings held in former times [c]; insomuch as *L. Florus* reporteth [d], that a fine was imposed vpon *Cn. Tremelius* Tribune of the people, for vsing vnciuill speeches against *M. Æmilius Lepidus*, the greatest *Pontifex*. A Sergeant was appointed to goe before him [e], hee was car-

c *Plut. Probl. cap.* 13.
d *Florus epist. lib.* 47.
e *Plut. Probl. cap.* 113.

carried in a Coach chaire, called *Curulis sella* f, which was reputed a royall Ensigne, because *Romulus* vsed the like by example of the Hetruscanes g. His dores were adorned with greene Lawrell h; if he vndertooke any Office or Charge, hee was not lyable (as were other men) either to controulement or account i, whether to the Senate or common people. His proper ornament was a Hat k, in token of his lofty estate. If any Offendor did flye vnto him, that day hee was protected from punishment l. He was married after a speciall manner, called *Confarreatio* m. His Wife must bee of singular example, and hee might not iterate Marriage the second time n; hee might not behold a dead body o; hee might not foyle his hands with Blood p; and neither giue nor assist Sentence of death. Hee was chiefe not only of the Colledge of Pontifices q, but also of him that was *Rex sacrorum*; the Augures, Flamines, and Vestall Virgins; vpon whom hee might impose either fine or other punishment, as the quality of their offences did require. All their sacred matters whether publike or priuate did principally depend vpon his direction. And yet this authority was often borne (as hath beene said) by the highest ciuill Officers of that Commonwealth: the election of him pertained to the people r: and prouocation or appeale did

f *Liu. Decad. 3. lib. 5.*
g *Liu. Decad. 1. lib. 1.*
h *Plin. lib. 15. cap. 30.*
i *Halicar. lib. 2.* ἀνυπευθύνους, οὐδὲ βουλῆ λόγον ἀποδιδόντας οὐδὲ δημῷ.
k *Apul. apol. 1.*
l *Plut. Probl. cap. 111.*
m *Boet. in top. Cicer. lib. 2.*
n *Tertul. de exhor. cast. & ad vxorem l. 1. & in præscript.*
o *Joseph. Antiq. 3. cap. 10.*
p *Liu. 3. Decad. lib. 10.*
q *Liu. 4. Decad. lib. 10.*
r *Cicer. in orat. de l. Agraria, & in lib. de Amicitia. Halicar. l. 2. Paterc. l. 2. Suet. in Nerone cap. 2.*

did lie alſo from him to the people. For ſo *Liuie*[s] writeth that a contention did ariſe betwixt *C. Seruilius* the greateſt *Pontifex*, and *L. Cornelius Dolabella*, a *Duumuir*; becauſe the *Pontifex* commanded him to abdicate his Office, that hee might bee inaugurated *Rex Sacrificus*, in place of *Cornelius Dolabella*. This when the *Duumuir* refuſed to doe, the *Pontifex* ſet a fine vpon him; for which cauſe hee appealed and brought the matter before the people. Many tribes being aſſembled, & the difference debated on both ſides, they commanded the *Duumuir* to bee obedient to the *Pontifex*: and yet they remitted his fine, in caſe hee ſhould abandon his Office. In the meane time the Heauens were couered with darke and thicke clouds, which brake forth into a terrible tempeſt. This being taken for ominous; the aſſembly diſſolued, and the authority to inaugurate was taken from the *Pontifex*.

[s] *Liu. 4. Decad. lib. 10.*

18.

The Common-wealth of the Romanes being changed againe to the gouernment of one, the chiefeſt authority in all Affaires depended vpon the Emperours: For ſo [t] *Tertullian* acknowledgeth the Heathen Emperours *to bee* [u] *ſecond and inferiour onely to God, before all, and aboue all.* Againe he ſaith, [x] *Wee worſhip the Emperour as a man next vnto God, and inferiour only to God.*

[t] *Tertul. in Apolog.*

[u] *A Deo ſecundi, poſt eum primi, ante omnes & ſuper omnes.*

[x] *Tert. ad Scapulam. Colimus Imperatorem vt hominem à Deo ſecundum, ſolo Deo minorem.*

Auguſtus annexed the greateſt Pontificate

to the Imperiall dignity, to whom the people by the Law of Royalty transferred all their power as well in Religious as in Ciuill Affaires. And that *Augustus* was greateſt *Pontifex*, it appeareth by the inſcription of a *Trophie* which he erected in the Alpes wherein theſe words were engrauen. IMPERATORI CÆSARI DIVI FIL. AVG. PONTIFICI MAXIMO IMP. XIIII. TRIBVNITIÆ POTESTATIS S.P.Q.R. And this was done when vnder his commande, all the nations of the Alpes, from the vpper Sea to the lower Sea, were reduced vnder the Empire of Rome. *Suetonius* writeth [a] that *C. Cæſar* was at one time greateſt *Pontifex*, and alſo *Augur*. *Seruius* [b] teſtifieth, that *C. Cæſar* being *Pontifex*, *M. Terentius Varro* did write vnto him a Booke, concerning their ſacred and religious Rites. Again, *Suetonius* [c] affirmeth, that *Galba* did beare three Prieſthoods. The ſame *Suetonius* [d] ſaith, that *Claudius Cæſar* had the Prieſthood in ſuch honourable eſtimation, that he neuer made choice or nomination of Prieſts, vntill hee had beene ſworne. In regard of this connexion of the Empire and Pontificate, *Tacitus* did write: *Nunc deum munere ſummum pontificem ſummum hominum eſſe.*

The greateſt Pontificate was alſo born by *Veſpaſian*, *Traiane*, and diuers other Romane Emperors: And hence happily it proceeded that

a *In C. Ceſare. cap.* 13.
b *Ad* 1.3 & 6. *Aeneid.*
c *In Galba C.*3
d *In Claudio cap.*22.
*Tacit. Annal. lib.*3

that the Maieſty of theſe Emperors was eſtee med moſt ſacred; inſomuch as diuine both titles and adorations were giuen vnto them. Their Statues & Images were ſacred and adored, as [e] *Tacitus* and [f] *Vegetius* report; inſomuch, as it was treaſon for any man either to pull away, or to violate thoſe who did flie vnto them; to melt them alſo, and alſo to ſell them [g]. *Tacitus* writeth [h], that *L. Emnius* was accuſed of treaſon, for melting the Image of the Prince: which acccuſation although *Tiberius* did cõmand to ſurceaſe; yet *Suetonius* affirmeth [i], that he commanded one to be arraigned, for taking the head from the Statue of *Auguſtus*, and ſetting another vpon the ſame. This kind of accuſation encreaſed to that degree, that it was capitall for a man to beare the Image of the Prince ſtamped in money, or engrauen in a Ring, to any vncleane or vnſeemly place. Yea, *Seneca* ſaith, [k] that vnder the Empire of *Tiberius*, a certaine noble man was accuſed of treaſon, for mouing his hand to his priuy parts, in making vrine; when he did weare a Ring vpon his finger, whereon was ingrauen the Image of the Prince: ſo great was the reuerence borne vnto them.

e *Tacit. lib* 14
f *Veg. l ib.* 2. *c.* 5 & 6.

g *L. qui ſtatuas. l. non contra hit. D. ad l. Jul. maieſt.*
h *Tacit. lib.* 3.

i *In Tiberio, cap.* 58.

k *De beneſic. lib.* 3.

And yet in theſe times, the Emperours referred many matters pertaining to their religion, to be determined by the Senate; partly, for expedition and eaſe; partly, for that they

they would not draw all authoritie from the Senate at once. So *Tacitus* [n] writeth of a decree of the Senate, for expelling the ceremonies of the Ægyptians and of the Iewes[o]. Likewise vnder *Claudius* a decree of the Senate was made, that the *Pontifex* should consider what ceremonie of the *Aruspices* should be reteined[p]. So *Tiberius* is said to haue referred to the Senate, whether Christ should be receiued among the Romane Gods, which in no case they would consent to decree; because hee had beene worshipped for God, without the publike authority of the Empire. The like is reported to haue beene both purposed and propounded by *Hadrian*; who commanded also that Temples should bee built in euery Citie, without any Idols. The like purpose in *Alexander Seuerus* is affirmed by *Lampridius* [q] to haue beene crossed, vpon assurance made vnto him, from those who gaue answere by inspection of *Entrailes*; that if *Christ* should be receiued *for God*, all men would become Christians, & other Temples should be forsaken.

But, when hee that would not be worshipped with other Gods, was both admitted and adored for God alone; when the Christian faith was publikely embraced in the Romane state; religion was both aduanced and ordered by Imperiall authoritie. For so *Socrates* [r] testifieth in these words. *From that time when*

n *Tacit 2. Annal.*

o *De sacris Iudaicis, Ægyptiisq; pellendis.*

p *Vid. rent pontifices quæ retinenda firmandaq; Aruspicum essent.*

q *In Seuero.*

20.

r *In Procm. lib. 5.*

when the Emperours began to be Christians [f], *the affaires of the Church depended vpon them; in so much as the greatest Councels were alwaies assembled by their appointment.* So *Chrysostome* calleth the Emperour (κεφαλὴ καὶ κορυφὴ τ) *not onely the head but the highest part of the head; and that of all men: And that he hath (not only no superiour, but) no equall vpon earth.* x And so did *Leo* the first write to the Emperour *Leo:* y *that royall power was giuen him, not onely for gouernment of the world, but especially for the safegard of the Church.* And so likewise *Gregorie* Bishop of Rome affirmed z, *that power is giuen to Princes from heauen, not onely ouer Souldiers but ouer Priests. Optatus* saith a: *there is no man aboue the Emperour but onely God who made the Emperour.* But this is most euidently declared in the answere of *Demetrius Chomatenus* b in these words: c *The Emperour being both in common estimation, and in very truth a skilfull Gouernour, is President, and giueth strength to Synodall sentences; hee setteth Ecclesiasticall Orders in forme, hee giueth Law for the life and ciuill carriage of those who serue at the Altar.* And againe d: *to speake in one word, the Office of Sacrificing only excepted, the Emperour representeth the other Priuiledges of a Bishop.* And therefore Saint *Augustine*

f τὰ τῆς ἐκκλησίας θεσμοθετήματα ἄρτιτο ἐξ αὐτοῦ.

t *Ad pop. Antioch. homil.*

x *Parem vllum super terram non habet.*

y *Debes Imperator incunctanter aduertere, regiam potestatem tibi, non solum ad mundi regimen, sed maxime ad Ecclesiæ præsidium esse collatum.*

z *Epist. lib. 3. ca. 100. & 103.*

a *Contra Parmen. lib. 3. Super Imperatorem non est nisi solus Deus qui fecit Imperatorem.*

b *In respons. Orient.*

c *Imperator vt communis ἀρχιερεὺς ἐκκλησιαστικὰς ἐξεύρηκε τάξεις existens & nominatus Synodalibus præest sententijs, & rebus tribuit, ecclesiasticos ordines composuit, & legem dat vitæ politicæ eorum qui altari seruiunt.*

d *Vt vno verbo dicam, solo sacrificandi excepto ministerio, reliqua pontificalia priuilegia Imperator representat.*

[e] inueighed against the heresie of the *Donatists*; in that they affirmed, that the Church ought not to vse either lawes or any assistance from Princes. And that Speech of *Donatus* [f] was iustly condemned. *Quid est Imperatori cum Ecclesia? What hath the Emperour to doe with the Church?*

[e] *Contr. Cresc. & epist. 48. & epist. 50.*

[f] *Donat. Melevit. lib. 2.*

Two parts in the Church may seperately bee considered: the externall forme, which consisteth in politicall Gouernment or Iurisdiction; And the essentiall forme, consisting in the true substance and foundation of Faith.

To the first it appertaineth, to call Synods, to bee President therein, to make Constitutions, to heare and determine causes in controuersie, to conferre Benefices, to appoint Orders for the outward deportment and behauiour of the Clergie, to punish Offenders against the Church. In one word, to be Iudge of all Causes & Controuersies, which pertaine to the outward Affaires of the Church. And this cannot bee distinguished in nature from the Ciuill Gouernment in temporall Affaires. For both are politicke, both naturall, both concurre in one end: namely, the decent and peaceable order of the Common-wealth. Nothing is eternall, nothing supernaturall, nothing spirituall, nothing diuine: the Church in this regard is but a member and part of the Common-

wealth,

wealth. I will not ſpeake of remote ends, in diſpoſing meanes for attaining eternall happineſſe: vnder colour whereof the Romane Clergie hath indeauored to draw all temporall Affaires to their mannage and diſpoſition: but aſſuredly, the neereſt and apparant end of both is the ſame; the meanes alſo are the ſame; euen naturall and mutable, according to variety of time and place. Euery Common-wealth well ordered giueth Precepts of three kindes. Some pertaine to behauiour of particular perſons: others to publike ſeruice of GOD: and others to publike gouernment in temporall affaires. The ſame power which Kings haue, either to eſtabliſh or preſerue both order and peace in temporall affaires; the ſame he hath, both for order and peace in affaires of the Church.

And ſo we may find many things anciently ordered in the Church by diuers Chriſtian Emperours. For *Conſtantine* [g] the great. *Anaſtatius* [h] & *Iuſtinian* [i] the firſt, eſtabliſhed order, for expence and forme of funeralls. The Emperours *Gratian, Valentinian* the ſecond, and *Theodoſius* the great [k], prohibited that any corpes ſhould be interred within the ſeates of the Apoſtles or Martyrs. *Honorius* and *Theodoſius* ordeined, how many Deacons ſhould be in the Church of *Conſtantinople* [l]; and what immunities euery Church ſhould enioy [m]. *Leo* & *Anthemius* forbad alienation

21.

g *Nouel.* 43. & 49. *in princ.*
h *l.* 18. *C. de Sacros Eccleſ.*
i *D. nouel.* 43. & 49.
k *L.* 2. *C. de Sacros Eccleſ.*
l *L.* 4. *C. eo.*
m *l.* 5. *C. eo.*

enation of lands belonging to the Church [n]. *Valentinian, Theodosius*, and *Arcadius* did prohibite [o] that any should bee receiued for a *Diaconisse*, who was not aged aboue fiftie yeares; which was afterwards confirmed by *Iustinian* [p]. *Honorius* and *Arcadius* forbad [q], that Clerkes should haue any thing to doe with publike actions or pleas. *Iustinian* added [r], that they should abstaine from play, and from all open spectacles and shewes. *Leo* and *Anthemius* [s] enioyned Monkes and religious persons, not to depart out of their Monasteries, and to liue in that modestie and sincerities whereto the Imperiall lawes did bind them: and that no Clergy man should be ordained by way of corruption [t]: or conuented in Iudgment, in a place farre distant from his abode [u]. *Iustinian* ordained [x], that vpon a certaine day in the week Bishops should go and visite the prisons, to enquire for what cause euery prisoner is detained, and to admonish the Magistrates, to execute Iustice. In another Constitution [y] he appointed what manner of Clerks should be ordained in the Church; that Clerkes should not remooue themselues from a lesse Church, to a greater; and that the rents of the Church should be expended to godly vses and actes. Hee appoynted also [z] the time for monasticall profession, and the rules which Monkes should obserue. He established his ordinance for

[n] L. 14. C. eo.

[o] L. 9. C. de episc. & cler.

[p] Nouel. 6. c. 2. 6.

[q] L. 17. C. de Episc & cler.

[r] Nouel. 123. cap. 10.

[s] L. 29. C. de episc. & cler.

[t] L. 30. C. eo.

[u] L. 31. C. eo.

[x] L. 22. C. de episc. audien.

[y] Nouel. 3.

[z] Nouel. 5.

[a] for the election, life and behauiour of Bishops, and other Ecclesiasticall persons; that they reside vpon their charge; that they resort not to the Court, except they bee expressely called; that they celebrate not diuine Offices in any place which is not consecrated to the seruice of God [b]. Hee declared what causes should be lawfull for diuorce and seperation of mariage [c]; as *Theodosius* the yonger, and *Valentin.* the third had done before him [d]. He ordained also, that the holy Scriptures should bee read in the vulgar tongue, and appoynted what Translations should be in vse [e].

It would be both tedious and vnnecessary to make long stay vpon rehearsall of those imperiall lawes, which haue been both receiued and reuerenced for gouernment of the Church. For *Iustinian* professed [f], that by authoritie of the lawes, both diuine and humane affaires were well ordered; and againe, [g] *There is nothing but may be examined by authoritie of the Emperour; for hee receiueth from God a generall principalitie, and gouernment ouer all men.* The same is acknowledged by Pope *Gregory*, in his Epistle to *Mauritius* [h]: *To this end is power ouer all persons giuen from heauen vnto my Lord, for assistance of good men, and enlargement of the way to heauen.* Whereupon *Espencæus* saith [i]; that *Gregory* the great did ingeniously acknow-

a *nouell.* 6.

b *nouell.* 58.

c *nouell.* 117.

d *l.* 8. *C. de repud.*

e *nouell.* 146.

f *l.* 1. *C. de vet. iur. enuc. legum authoritas & diuinas & humanas res bene disponit.*

g *nouel.* 133. μηδὲν ἄβατον ἐστὶ οἷς ζήτησιν τῇ βασιλείᾳ.

h *lib.* 2. *epist.* 100 *Ad hoc potestas super omnes homines dominorum meorum pietati cœlitus data est, &c.*

i *Espenc. com. in Tit.* 3. *digres.* 10. *Gregorius magnus agnoscebat, Imperatoribus concessum esse dominari Sacerdotibus.*

ledge a ſoueraignetie in Emperours ouer Prieſts. So *Balſamon* [k] hath ſaid, that the Emperours had power to appoint *Patriarchall* Seas, *according to the power giuen them from aboue.* Whereto doeth that of *Iſodore* agree [l]; *Princes of the world haue their authoritie and power in the Church, that the Eccleſiaſticall diſcipline ſhould bee held in ſtrength; that they who will not obſerue it by admonition of the Prieſt, ſhould bee conſtrained by force of the Magiſtrate.* Yea, diuers of the Papall decrees, for ordering of Eccleſiaſticall affaires, were Lawes made by Chriſtian Emperours; of which lawes many are yet extant in the *Codex* of *Theodoſius.* The Canon *Indicantem,* [m] expreſſing the office of a Iudge in cogniſance of cauſes, attributed by *Gratian* to Pope *Eleutherius*, was made by the Emperour *Conſtantine* [n]. The Canon, *ſi quis Iratus* [o], attributed to Pope *Fabian*, againſt accuſers; is a law of the ſame Emperour *Conſtantine*, in the *Codex* of *Theodoſius.* The Canons which goe vnder the names of the ſame *Fabian* [p], of *Sixtus* [q], and of *Hadrian* [r], concerning the ſame ſubiect, are found to be made by *Gratian* the ſonne of *Valentinian* the firſt. The Decrees of Pope *Caius* [s], and of Pope *Iohn* [t], for reſtitution of Church goods, taken from Biſhops, when they were forced from their Sea; are the *Edicts* of the ſame Emperor *Gratian.* The Canon *Qui ratione* [u], attributed to Pope

k *Balſ. in Concil. Chalced. ca. 12.*

l *c. Principes 23. q. 5.*

22

m *13. q. 5.*

n *l. 1. C. de Iudic. in C. Theod.*

o *2. q. 3. de. pœ. di. 1.*

p *3. q. 6. c. 1.*

q *3. q. 6. c. 16. & 17. & 2. q. 8. c. 4.*

r *2. q. 3. c. 3.*

s *c. Epiſc. 3. q. 5*

t *c. reintegranda. q. e.*

u *3. q. 9.*

Pope *Damasus*, for order in accusations, is compriſed in *Theodoſius Code*, vnder the name of the ſame Emperour. The Canon *Nullus*[x], vnder the name of *Pelagius*; was made by the Emperours *Honorius* and *Arcadius*. The Canon *Quiſquis*[y], vnder the name of *Eutychian*; was promulged by the Emperours *Honorius* and *Theodoſius*. The Canon *Conſanguineos*[z], for ſeparation of marriage contracted within the prohibited degrees of conſanguinitie; is a Conſtitution of the Emperor *Conſtantine* the great. The Canon *Priuilegia*[a], for confirmation of the priuiledges of the Church, vnder the name of *Anacletus*; is a Conſtitution of the Emperours *Theodoſius* and *Valentinian*. In a word, the volume of Decrees is filled with diuers conſtitutions of Chriſtian Emperours; either aſſumed by Popes, or attributed vnto them; without expreſſing either the name or authoritie of the Emperours. And touching the reſt, Pope *Honorius*[b] acknowledged, that it was by decree of the Emperour *Iuſtinian*[c], that the Canons of the Fathers ſhould haue the force of Lawes.

x 2.q.7.

y 2.q.8.

z 35.q.6.

a 25.q.2.

b c. 1. extr. de iuram. calum.

c *Imperator Iuſtinianus decreuit, vt canones patrum vim legum habere oporteat.*

Now, when any difference did ariſe in matters of faith; when any great Sciſme or diſturbance was maintained in the Church; the Emperours did vſe to aſſemble their Biſhops in common Councell: and thoſe things that were by them decreed, were afterwards

ledge a ſoueraignty in Emperours ouer Prieſts. So *Balſamon* [k] hath ſaid, that the Emperours had power to appoint *Patriarchall* Seas, *according to the power giuen them from aboue.* Whereto doeth that of *Iſodore* agree [l]; *Princes of the world haue their authoritie and power in the Church, that the Eccleſiaſticall diſcipline ſhould bee held in ſtrength; that they who will not obſerue it by admonition of the Prieſt, ſhould bee conſtrained by force of the Magiſtrate.* Yea, diuers of the Papall decrees, for ordering of Eccleſiaſticall affaires, were Lawes made by Chriſtian Emperours; of which lawes many are yet extant in the *Codex* of *Theodoſius.* The Canon *Indicantem,* [m] expreſſing the office of a Iudge in cogniſance of cauſes, attributed by *Gratian* to Pope *Eleutherius*, was made by the Emperour *Conſtantine* [n]. The Canon, *ſi quis Iratus* [o], attributed to Pope *Fabian*, againſt accuſers; is a law of the ſame Emperour *Conſtantine*, in the *Codex* of *Theodoſius.* The Canons which goe vnder the names of the ſame *Fabian* [p], of *Sixtus* [q], and of *Hadrian* [r], concerning the ſame ſubiect, are found to be made by *Gratian* the ſonne of *Valentinian* the firſt. The Decrees of Pope *Caius* [s], and of Pope *Iohn* [t], for reſtitution of Church goods, taken from Biſhops, when they were forced from their Sea; are the *Edicts* of the ſame Emperor *Gratian.* The Canon *Qui ratione* [u], attributed to Pope

k *Balſ. in Concil. Chalced. ca. 12.*

l *c. Principes 23. q. 5.*

m *13. q. 5.*

n *l. 1. C. de Iudic. in C. Theod.* o *2. q. 3. de pa. di. 1.*

p *3. q. 6. c. 1.* q *3. q. 6. c. 16. & 17. & 2. q. 8. c. 4.*

r *2. q. 3. c. 3.*

s *c. Epiſc. 3. q. 5*

t *c. reintegranda, q. e.*

u *3. q. 9.*

Pope *Damaſus*, for order in accuſations; is compriſed in *Theodoſius Code*, vnder the name of the ſame Emperour. The Canon *Nullus*[x], vnder the name of *Pelagius*; was made by the Emperours *Honorius* and *Arcadius*. The Canon *Quiſquis*[y], vnder the name of *Eutychian*; was promulged by the Emperours *Honorius* and *Theodoſius*. The Canon *Conſanguineos*[z], for ſeparation of marriage contracted within the prohibited degrees of conſanguinitie; is a Conſtitution of the Emperor *Conſtantine* the great. The Canon *Priuilegia*[a], for confirmation of the priuiledges of the Church, vnder the name of *Anacletus*; is a Conſtitution of the Emperours *Theodoſius* and *Valentinian*. In a word, the volume of Decrees is filled with diuers conſtitutions of Chriſtian Emperours; either aſſumed by Popes, or attributed vnto them; without expreſſing either the name or authoritie of the Emperours. And touching the reſt, Pope *Honorius*[b] acknowledged, that it was by decree of the Emperour *Iuſtinian*[c], that the Canons of the Fathers ſhould haue the force of Lawes.

x 2.q.7.

y 2.q.8.

z 35.q.6.

a 25.q.2.

b c. 1. extr. de iuram. calum.

c *Imperator Iuſtinianus decreuit, vt canones patrum vim legum habere oporteat.*

Now, when any difference did ariſe in matters of faith; when any great Sciſme or diſturbance was maintained in the Church; the Emperours did vſe to aſſemble their Biſhops in common Councell: and thoſe things that were by them decreed, were afterwards

terwards confirmed by Imperiall Constitution. So *Nicephorus*[d], and *Eusebius*[e] write, that *Constantine* the Great (who termed himselfe Bishop ἐπὶ ἐκτὸς) hauing employed *Hosius* Bishop of *Corduba*, for composing the difference betwixt *Alexander* Bishop of Alexandria, and *Arrius*; wherewith the Church was exceedingly disturbed; and perceiuing his good purpose therby nothing aduanced; assembled by his authority the Councell of Nice in Bithinia, which hee honoured with his presence, and defrayed the Charge of 308. Bishops that were called to that Councell. Of whom *Eustachius* Bishop of Antioch, or rather (as the Canon Law affirmeth[f]) *Constantine* himselfe was President[g]. For hee sate in the highest place, on a seate of gold: receiuing euery mans Petition, and ordering both the businesse and behauiour of that assembly: and accepting appeales made to him from the Iudgement of Bishops; which hee either heard himselfe, or appointed to be heard by others[h]. Yea, he spake to the Bishops as their supreme Iudge, in this manner: [i] *If you bee holy Bishops of right beliefe, and men seasoned with humanity, we shall bee glad: but if any man shall audacious, or vnaduisedly breake forth to the commending of these pestilent Heresies; his insolencie shall bee represſed by the execution of Gods seruant; euen by my selfe.*

d *Nicepb. lib. 8 cap. 14.*
e *Euseb. lib. 2. de vita Constantini.*
24
f *c. futuram 12. q. 1.*
g *Constantinus præsidens sanctæ synodo, quæ apud Niceam congregata est. Socrat. l. 1. c. 6.*
h *Euseb. de vita Constant. lib. 3. cap. 10 & 13. & 23.*
i *Theodoret. l. 1. cap. 10.*

The

The forme of faith agreed vpon in this Councell, was presently confirmed by *Constantine*, and both imparted and imposed vpon others, who had not been present; and charge giuen vnder paine of death, that none should secretly preserue any Bookes of *Arrius* from the fire [h]. Afterwards the same faith was both declared and confirmed by constitution of the Emperours *Gratian*, *Valentinian*, and *Theodosius* [i].

In like sort *Constantine* sent for the Bishops, which by his commandement were assembled in a Councell at Tyre, to giue accompt to him what they had done, and how sincerely they had carried themselues in their Iudgements.

At the time of this Councell of Nice, three Metropolitans had been erected within the Romane Empire. At Rome, at Alexandria in Egypt, and at Antioch. (for Hierusalem was not then a Metropolitan Sea, and Constantinople was after that time built) And it was then decreed, that in Assemblies of the Clergie, the Bishop of Rome should haue the first place, the Bishop of Alexandria the second, and the Bishop of Antioch the third. But wherefore were onely three; & those three erected to be Metropolitans? Assuredly, because those Cities onely were the Metropolitane or Mother Cities for gouernment of ciuill Affaires. Rome, for the

[h] *Socrat. lib. 1. cap. 6.*

[i] *l. 2. C. de sum. trin. Socrat. hist. lib. 1 ca. 22. Sozomen. lib. 2. c. 27. Ruffin. lib. 1. hist. cap. 22.*

parts of Europe; Alexandria for the parts of Affricke; Antioch for the parts of Asia subiect to the Romane Empire. But wherefore was the Bishop of Alexandria preferred before the Bishop of Antioch? For Antioch was more ancient for Religion: the faithfull were first called Christians at Antioch. This also was done in imitation of the ciuill Gouernment of the Empire. For because Rome was the head Citie of the Empire, the Bishop of that City had the first place. And because Alexandria was next in dignity, the Gouernour whereof was called *Præfectus Augustalis*, the Bishop of Alexandria had the second place. And as *Præfectus Orientis* who gouerned Antioch, had the third place of honour among the ciuill Magistrates; so had the Bishop of Antioch the third place among the Clergie. All this doth not obscurely appeare by the decretall Epistles of *Anacletus* and *Anicetus*. In the second generall Councell of Chalcedon, and in the Councell of Constantinople it is often expressed, that for this reason the first place was giuen to the Bishop of Rome. And so it appeares, that it was not Superiority but Priority which was giuen to the Bishop of Rome by the Councell of Nice. Which also being but a matter of externall order, within the State of the Romane Empire; cannot bee extended to such Countries as either

ther then were not vnder ſubiection, or afterwards freed themſelues from ſubiection to the Romanes. After this Councell Saint *Hierome* ſaid, that *Conſtantine* was the firſt Originall and Author of aſſembling a generall Councell.

Prima cauſa & origo primus author conuocandi vniuerſalis concilij. *Hier. pa.* 399.

The ſecond generall Councell was aſſembled at Conſtantinople, againſt the hereſie of *Macedonius*, by *Theodoſius* [k] the Great. The Biſhops aſſembled in this Councell wrote thus in humble manner vnto the Emperour *Theodoſius* [l]; *Wee beſeech your Maieſtie, that as you haue honoured the Church, by your Letters, wherewith you haue called vs together; ſo it may pleaſe you to confirme the finall concluſion of our Decrees, with your Sentence & with your Seale.*

k *Niceph. lib.* 12 *cap.* 10.

l *Obſecramus clementiam tuam, vt, quemadmodum litteris honoraſti eccleſiam, quibus nos conuocaſti; ita finalem concluſionem noſtrorum decretorum corrobores ſententia tua & ſigillo.*

The generall Councell of Epheſus was aſſembled by authority of *Theodoſius* the younger [m], againſt the hereſie of *Neſtorius*: notwithſtanding that the Biſhop of Rome did often entreate, that the ſame might bee held in ſome part of Italie. The Decrees of this Councell, together with the Decrees of the Councell of Nice, containing the profeſſion of Chriſtian faith, were confirmed by a Conſtitution of *Theodoſius* and *Valentinian* [n]; whereby alſo the writings of *Neſtorius* are condemned to the fire.

m *Niceph. li.* 14. *cap.* 34. *Leo Epiſt.* 9. 23. 24. 31.

n *l.* 3. *C. de ſum. trin.*

The fourth generall Councell was appointed by authority of the Emperour *Martian*

parts of Europe; Alexandria for the parts of Affricke; Antioch for the parts of Asia subiect to the Romane Empire. But wherefore was the Bishop of Alexandria preferred before the Bishop of Antioch? For Antioch was more ancient for Religion: the faithfull were first called Christians at Antioch. This also was done in imitation of the ciuill Gouernment of the Empire. For because Rome was the head Citie of the Empire, the Bishop of that City had the first place. And because Alexandria was next in dignity, the Gouernour whereof was called *Præfectus Augustalis*; the Bishop of Alexandria had the second place. And as *Præfectus Orientis* who gouerned Antioch, had the third place of honour among the ciuill Magistrates; so had the Bishop of Antioch the third place among the Clergie. All this doth not obscurely appeare by the decretall Epistles of *Anacletus* and *Anicetus*. In the second generall Councell of Chalcedon, and in the Councell of Constantinople it is often expressed, that for this reason the first place was giuen to the Bishop of Rome. And so it appeares, that it was not Superiority but Priority which was giuen to the Bishop of Rome by the Councell of Nice. Which also being but a matter of externall order, within the State of the Romane Empire; cannot bee extended to such Countries as either

ther then were not vnder ſubiection, or afterwards freed themſelues from ſubiection to the Romanes. After this Councell Saint *Hierome* ſaid, that *Conſtantine* was the firſt Originall and Author of aſſembling a generall Councell.

Prima cauſa & origo primus author conuocandi vniuerſalis concilij. Hier. pa. 399.

The ſecond generall Councell was aſſembled at Conſtantinople, againſt the hereſie of *Macedonius*, by *Theodoſius* [k] the Great. The Biſhops aſſembled in this Councell wrote thus in humble manner vnto the Emperour *Theodoſius* [l]; *Wee beſeech your Maieſtie, that as you haue honoured the Church, by your Letters, wherewith you haue called vs together; ſo it may pleaſe you to confirme the finall concluſion of our Decrees, with your Sentence & with your Seale.*

k *Niceph. lib. 12 cap. 10.*

l *Obſecramus clementiam tuam, vt, quemadmodum litteris honoraſti eccleſiam, quibus nos conuocaſti; ita finalem concluſionem noſtrorum decretorum corrobore. ſententia tua & ſigillo.*

The generall Councell of Epheſus was aſſembled by authority of *Theodoſius* the younger [m], againſt the hereſie of *Neſtorius*: notwithſtanding that the Biſhop of Rome did often entreate, that the ſame might bee held in ſome part of Italie. The Decrees of this Councell, together with the Decrees of the Councell of Nice, containing the profeſſion of Chriſtian faith, were confirmed by a Conſtitution of *Theodoſius* and *Valentinian* [n]; whereby alſo the writings of *Neſtorius* are condemned to the fire.

m *Niceph. li. 14. cap. 34. Leo Epiſt. 23. 24. 31.*

n *l. 3. C. de ſum. trin.*

The fourth generall Councell was appointed by authority of the Emperour *Martian*

tian[o], first to bee held at Nice, afterward vpon certaine occaſions it was aſſembled at Chalcedon; albeit the Biſhop of Rome deſired that it might be deferred vntill a better opportunity[p].

In this Councell, *Euagrius*[q] writeth, that both the Biſhops and temporall Iudges did oftentimes ſuſpend their decrees in this ſort; *Vnto vs it ſeemeth right*[r], *if it ſhall alſo like our moſt vertuous and godly Lord the Emperour.* And in the end it is thus concluded; [r] *all our doings being referred to the Emperours Maieſtie.* Laſtly, the Decrees of this Councell touching Chriſtian Faith, were confirmed by a publike Conſtitution of the ſame Emperour *Martian*[t]. About theſe times *Leo*, Biſhop of Rome, profeſſed his obedience *to the appointment and will* of the Emperours, *Theodoſius* and *Martian.*[u]

The fifth œcumenicall Councell was aſſembled by *Iuſtinian* the firſt[x], in the Citie of Conſtantinople: During this Councell the Biſhop of Rome came to Conſtantinople, being ſent in Embaſſage to the Emperour by *Theodatus* King of Gothes: But hee was ſo farre from being *Preſident*, that hee was not *preſent* at the Councell.

The fixth generall Councell was aſſembled at Conſtantinople, by *Conſtantine* the third;

o *Euag. lib. 1. cap. 2.*

p *Leo Epiſt. 42. 47. 48*

q *Lib. 2. cap. 4.*

r εἰ σοὶ δοκεῖ τῷ θειοτάτῳ ἡμῶν δεσπότῃ.

[r] *Vid. d. conc. Chalc.*

t *l. 4. C. de ſum. trin.*

u *Leo Epi. 16. 57*

x *3. vol. concil.*

third; himſelfe being Preſident in all the actions thereof. In the time of this Councell, the Emperour wrote his Letters to *Bonus* Biſhop of Rome; who then departing this life, they were anſwered by *Agatho* his next Succeſſor. Wherein hee profeſſed his obedience to the Emperour: [u] *And what your Maieſties clemencie* (ſaith hee) *hath commanded, our Seruice hath obediently performed.* The Decrees of this Councell were ſubſcribed by *Conſtantine*; After that hee had commanded that ten Biſhops of the Eaſt, and ten of the Weſt ſhonld repaire to his Court, and open to him the Decrees of the Councell: [x] *That he might conſider* (ſaith *Sozomenes*) *whether they were agreed according to the Scriptures, and that hee might further determine and conclude what were beſt to bee done.*

u *Synod 6. Act. 4.*

x ὥστε καὶ αὐτὸν συνιδεῖν, εἰ κατὰ τὰς ἱερὰς γραφὰς συνέβησαν ἀλλήλοις· καὶ περὶ τῶν πρακτέων ὅπῃ ἂν ἄριστα δοκῇ ἐπιτελέσαι.

The ſeauenth generall Councell was aſſembled by authority of the Emperour, as in the very front, and in many other paſſages thereof doth euidently appeare. In this Councell Pope *Adrian* wrote an Epiſtle to the Emperours, in a moſt ſubmiſſe ſtile; containing many liuely expreſſions of obedience and reſpect.

Tom. 3. pa. 453. & 457. & 471. & 475. Pag. 348.

The eighth generall Councell is not ſo eſteemed by the Greekes, as conſiſting onely of an hundred Biſhops; and not treating of any matter of Faith, but of a particular

tian[o], first to bee held at Nice, afterward vpon certaine occasions it was assembled at Chalcedon; albeit the Bishop of Rome desired that it might be deferred vntill a better opportunity[p].

In this Councell, *Euagrius*[q] writeth, that both the Bishops and temporall Iudges did oftentimes suspend their decrees in this sort; *Vnto vs it seemeth right*[r], *if it shall also like our most vertuous and godly Lord the Emperour.* And in the end it is thus concluded; [t] *all our doings being referred to the Emperours Maiestie.* Lastly, the Decrees of this Councell touching Christian Faith, were confirmed by a publike Constitution of the same Emperour *Martian*[t]. About these times *Leo*, Bishop of Rome, professed his obedience *to the appointment and will* of the Emperours, *Theodosius* and *Martian.*[u]

The fifth œcumenicall Councell was assembled by *Iustinian* the first[x], in the Citie of Constantinople: During this Councell the Bishop of Rome came to Constantinople, being sent in Embassage to the Emperour by *Theodatus* King of Gothes: But hee was so farre from being *President*, that hee was not *present* at the Councell.

The sixth generall Councell was assembled at Constantinople, by *Constantine* the third;

o *Euag. lib. 1. cap. 2.*

p *Leo Epist. 42. 47. 48*

q *Lib. 2. cap. 4.*

r εἰ φίλον ἐστὶ τῷ θειοτάτῳ ἡμῶν δεσπότῃ.

t *Vid. d. conc. Chalc.*

t *l. 4. C. de sum. trin.*

u *Leo Epi. 16. 57*

x *3. vol. concil.*

third; himſelfe being Preſident in all the actions thereof. In the time of this Councell, the Emperour wrote his Letters to *Bonus* Biſhop of Rome; who then departing this life, they were anſwered by *Agatho* his next Succeſſor. Wherein hee profeſſed his obedience to the Emperour: [u] *And what your Maieſties clemencie* (ſaith hee) *hath commanded, our Scruice hath obediently performed.* The Decrees of this Councell were ſubſcribed by *Conſtantine*; After that hee had commanded that ten Biſhops of the Eaſt, and ten of the Weſt ſhonld repaire to his Court, and open to him the Decrees of the Councell: [x] *That he might conſider* (ſaith *Sozomenes*) *whether they were agreed according to the Scriptures, and that hee might further determine and conclude what were beſt to bee done.*

u *Synod 6. Act. 4.*

x ὅπως καὶ αὐτὸν συνιδεῖν, εἰ κατὰ τὰς ἱερὰς γραφὰς συνέθεντο ἀλλήλοις· καὶ οὕτω δὴ περαιτέρω ὅτι ἂν δέοιτο διατελέσαι.

The ſeauenth generall Councell was aſſembled by authority of the Emperour, as in the very front, and in many other paſſages thereof doth euidently appeare. In this Councell Pope *Adrian* wrote an Epiſtle to the Emperours, in a moſt ſubmiſſe ſtile; containing many liuely expreſſions of obedience and reſpect.

Tom. 3. pa. 453. & 457. & 473. & 475. Pag. 348.

The eighth generall Councell is not ſo eſteemed by the Greekes, as conſiſting onely of an hundred Biſhops; and not treating of any matter of Faith, but of a particular

Cause betweene *Ignatius* and *Photius*, which nothing concerned the vniuersall Church. But that it was assembled by the Emperour, it appeares; as well by that which Pope *Stephen* then wrote to the Emperour *Basilius*, *And what hath the Church of Rome offended? Did it not send Legates at your Command, according to the old custome of Councels?* As also by that which *Surius* reporteth the Emperour to haue spoken in the beginning of the Councell. *Since that the fauour and prouidence of God hath committed to vs the gouernment of the vniuersalship; wee haue apprehended all endeauours, before other publike cares to disperse the stormy stirres of the Church.*

Act. 7. pag. 892.

In briefe, Cardinall *Cusanus* x doth acknowledge that hee did euermore find y, that the Emperours and their Iudges, with the Senate, *had the primacie, and Office of presidence in the eight generall Councels.* And to this purpose by the Law of Conuenticles, it was ordained; that Assemblies should not bee made, no not for the cause of Religion, but the Emperours consent must first bee obtained. In regard wherof *Odoacer* z did in this sort expostulate with Pope *Symachus*, and the Clergie of Rome. a *We maruell that any thing hath been attempted without vs, for without vs nothing should haue beene done, our Priest being aliue.* In like manner *Nicephorus* b did write to

x *Cus. de conc. l. 3. cap. 16.*
y *Sciendum est quod in vniuersalibus octo consilijs semper inuenio Imperatores, & Iudices suos, cum senatu primatum habuisse.*
* *in Cod. Iustin.*
z *Conc. Ro. 3.*
a *Miramur quicquã tentatũ fuisse sine nobis; nam viuente nostro presbytero sine nobis nihil tentari oportuit.*
b *Niceph. in præfat. ad Emanuel.*

to the Emperour *Emanuell Paleologus*; c *You are the Captaine of the Profession of our faith, you haue reformed the Temple of God from Merchants and exchangers of the heauenly Doctrine, and from heretickes, by the word of God.*

c *Tu es dux professionis fidei nostræ &c.*

During this time, a stiffe strife did arise betwixt the Bishops of Rome, and the Bishops of Constantinople (as did once among the Disciples of *Christ* d) whether of them should be greatest. But all their arguments were politicall, and drawen from ciuill reasons of State: Scriptures could not then be found to maintaine the proud power of the one ouer the other: which could not proceed from the *omnipotent* GOD, but from the *impotent* ambition of man. For as before the Councell of Nice, small respect was had to the church of Rome; as *Æneas Syluius* e hath written, who himselfe was Pope: So was then prioritie of place accounted to be giuen to it, in regard that Rome was the Imperiall citie f. And therefore after that Constantinople was aduanced to bee the head of the Empire, the Bishop thereof alleaged (as *Platina* g, and out of him h *Sabellicus* doe write) that where the head of the empire was, there also should bee the principall Sea. But the Emperour, the Senate, the maiestie of the empire were then remooued from Rome to Constantinople; and therefore the dignitie

25.

d Marc. 9. 35. Luc. 9. 46.

e *Ep.* 301.
f *Antiquæ Romæ throno quia vrbis illa imperaret, patres priuilegia tribuere. Concil. Calc. act.* 15. *cap.* 28.
g *Plati. in vita Bonifacii* 3.
h *Sabel. Æneid.* 8. *lib.* 6.

Cauſe betweene *Ignatius* and *Photius*, which nothing concerned the vniuerſall Church. But that it was aſſembled by the Emperour, it appeares; as well by that which Pope *Stephen* then wrote to the Emperour *Baſilius*, *And what hath the Church of Rome offended? Did it not ſend Legates at your Command, according to the old cuſtome of Councels?* As alſo by that which *Surius* reporteth the Emperour to haue ſpoken in the beginning of the Councell. *Since that the fauour and prouidence of God hath committed to vs the gouernment of the vniuerſalſhip; wee haue apprehended all endeauours, before other publike cares to diſperſe the ſtormy ſtirres of the Church.*

Act. 7. fog. 892.

In briefe, Cardinall *Cuſanus* x doth acknowledge that hee did euermore find y, that the Emperours and their Iudges, with the Senate, *had the primacie, and Office of preſidence in the eight generall Councels.* And to this purpoſe by the Law of Conuenticles, it was ordained; that Aſſemblies ſhould not bee made, no not for the cauſe of Religion, but the Emperours conſent muſt firſt bee obtained. In regard wherof *Odoacer* z did in this ſort expoſtulate with Pope *Symachus*, and the Clergie of Rome. z *We maruell that any thing hath been attempted without vs, for without vs nothing ſhould haue beene done, our Prieſt being aliue.* In like manner *Nicephorus* b did write to

x *Cuſ. de conc. l. 3. cap. 16.*

y *Sciendum eſt quod in vniuerſalibus octo conſilijs ſemper inuenio Imperatores, & Iudices ſuos, cum ſenatu primatum habuiſſe.*

* *in Cod. Iuſtin.*

z *Conc. Rom.*

a *Miramur quicquã tentatũ fuiſſe ſine nobis; nam viuente noſtro presbytero ſine nobis nihil tentari oportuit.*

b *Nicepho. in præfat. ad Emanuel.*

to the Emperour *Emanuell Paleologus*; c *You are the Captaine of the Profeſſion of our faith, you haue reformed the Temple of God from Merchants and exchangers of the heauenly Doctrine, and from heretickes, by the word of God.*

c *Tues dux profeſſionis fidei noſtræ &c.*

During this time, a ſtiffe ſtrife did ariſe betwixt the Biſhops of Rome, and the Biſhops of Conſtantinople (as did once among the Diſciples of *Chriſt* d) whether of them ſhould be greateſt. But all their arguments were politicall, and drawen from ciuill reaſons of State: Scriptures could not then be found to maintaine the proud power of the one ouer the other: which could not proceed from the *omnipotent* GOD, but from the *impotent* ambition of man. For as before the Councell of Nice, ſmall reſpect was had to the church of Rome; as *Æneas Syluius* e hath written, who himſelfe was Pope: So was then prioritie of place accounted to be giuen to it, in regard that Rome was the Imperiall citie f. And therefore after that Conſtantinople was aduanced to bee the head of the Empire, the Biſhop thereof alleaged (as *Platina* g, and out of him h *Sabellicus* doe write) that where the head of the empire was, there alſo ſhould bee the principall Sea. But the Emperour, the Senate, the maieſtie of the empire were then remooued from Rome to Conſtantinople; and therefore the dignitie

25.

d Marc. 9. 35. Luc. 9. 46.

e *Ep.* 301.
f *Antiquæ Romæ throno quia vrbs illa imperaret, patres priuilegia tribuere. Concil. Calc. act.* 15. *cap.* 28.
g *Plati. in vita Bonifacii* 3.
h *Sabel. Æneid.* 8. *lib.* 6.

of the Sea must also follow. To this the Bishop of Rome answered, that the citie of Rome, from whence a Colony was brought to Constantinople, was in right to be esteemed the head of the empire: for the Grecians did vse to stile their Prince (τῶν Ρωμαίων αὐτοκράτορα) *Emperour of the Romans*: and they themselues were also called (Ρωμαῖοι) *Romans*. To this the Bishop of Constantinople replied; that it was very true that they were so called: but this was in regard of Constantinople, which was then called *New Rome*.

In this coutrouersie *Gregorie* Bishop of Rome was entreated by *Sabinian*, who next succeeded him, that the difference should be submitted to the Emperor *Mauritius* [i]: Who admonished the Bishop of Rome, to beare obedience to the Bishop of Constantinople.

In this contention *Platina* [l] affirmeth, that diuers Emperours fauoured the Bishops of Constantinople. In the Councell of Chalcedon [m] it was decreed, that the Church of Constantinople should stand in one degree of dignity, and enioy equall priuiledges and prerogatiues with the church of Rome, leauing to the Church of Rome, onely precedency of name and place. The same equalitie was also decreed before in the first Councell of Constantinople [n], and confirmed by constitution of *Honorius* and *Theodosius* [o]. And to checke the aspiring ambition

i *Plat in vita Gregorij Sabel. Æneid. 8 lib. 6.*

l *In vita Bo-* [illegible]*cii* [illegible].

m *Can 28.* μεγαλυνέσθω ὡς ἐκεῖνον ἐν ἐκκλησιαστικοῖς πράγμασιν.

n *Concil. Constantinop. 1. cap. 2.*

o *l. 6. C. de sacros eccles. l. vnic. C. de priuil. vrb. Const. lib. 11.*

tion of both [p]; some held opinion, that all the fiue Patriarkes had Identitie of honour, and obtained the place of one head ouer the body; that is, ouer the holy Churches of God. But by a constitution of *Leo* & [q] *Anthemius*, the Bishop of Constantinople is declared to haue precedencie of place [r] before all others: which law was alledged by *Photius* [s], to confirme the primacy of the Patriarke of Constantinople [t]. *Iustinian* declareth, [u] that the Church of Constantinople was the head of all other Churches. Which constitution is omitted in some editions of *Iustinians Code*.

So *Iohn* Bishop of Constantinople for ten yeares, euen vntill his death, assumed the title of Oecumenicall, or vniuersall Bishop. Albeit *Gregorie* B. of Rome, did most sharply inueigh against it: not as claiming it to himselfe, but as condemning it in any. Not in that sense as some haue senselesly stamped vpon it, as if hee would haue no Bishop but himselfe: For hee interpretes [x] himselfe, that by this title the Bishop of Constantinople did endeauour to preferre himselfe before other Bishops: But as absolutely condemning it, as a new and erronious name, proud, sottish, peruerse, prophane, blasphemous; and that whosoeuer accepted of that name, did imitate *Lucifer*, and was the forerunner of *Antichrist*: [y] and that thereby he would set himselfe (as afterwards it proued) aboue the ho-

p Balsamon meditat. & respons. in iure Graecorum. To. 1 pag. 449. διὰ τὸ ἐπίσχειν πρὸ πάντων πρεσβείας τὸν τῆς μίας καθολικῆς.

q l. determinamus C. de sacros. Eccles.

r πρεσβεῖα.

s Nomoca. tit. 1 cap. 5.

t l. Constantinopolit. 24. C. de sacros. eccles.

u Constantinopolitana ecclesia omnium aliarum est caput.

x Lib. 4. Epist. 3 Cupere cum Episcopis semetip. sum vocabulo elationis praponere, toti sub se premere.

y Lib. 4. Epist. 32

nour of the Empire; and that to consent to this name, was nothing else then to destroy the faith, [z] and not to be a holy man.

z Lib. 4. epist. 39

After him succeeded *Cyriacus*; as in place, so in title of *Vniuersall Bishop*, for the space of 11. yeares. And then *Phocas* Emperour, or rather (as *Zonoras* and *P. Diaconus* [a] doe describe him) the wilde, drunken, bloody, adulterous tyrant of Constantinople, transferred that title from Constantinople to Rome. And this was done by *Phocas* in hate to *Cyriacus*, with whom hee had been displeased; and in fauour to *Bonifacius*, who hauing bin his Chancellor, and then insinuated into fauour, was also Godfather to his sonne. A marueilous change, within a narrow compasse of time: that the title which was iudged by Saint *Gregory* (iudged to bee the best Pope since his time) to bee generally both blasphemous and dangerous; should by such an Emperour bee appropriated to the Sea of Rome. [b] *Baronius* reporteth the Decree of *Phocas* in these words; *Solum Romanum Pontificem esse dicendum Oecumenicum, nempe vniuersalem; Constantinopolitanum vero nequaquam.*

a *In vit. Phoce. Apocrisiarius.*

b *ad An. 606.*

But this was a great errour in the Emperor of Constantinople; first, to settle so great dignitie and prerogatiue in a place, farre distant from the principall seat and strength of the Empire. Secondly, to permit affaires of

of so high nature to depend vpon direction of any one within their Empire. For, by this meanes the Bishops of Rome did steale into such strength with the common people, that by their Interdictions onely, they were of power to withdraw them from paying tribute, and bearing alleageance to the Emperors of Constantinople: vpon occasion that *Leo* surnamed *Iconomachus*, had caused the Images of Saints to bee taken downe. Finally, they pulled the West part of the Empire from their subiection; and left the residue, with that mortall maime, to be a prey to the barbarous Infidels.

The West Empire flourished for a time, 28
first in France, and afterwards in Germanie; in which time *Charles* the great, and *Ludouicus Pius*, were tearmed by publike actes of Councells, [c] *Directers of Religion*. And the most apparant cause whereby it was broken and beaten downe, was the absolute and vnlimited power, which the Bishops of Rome challenged, principally in Ecclesiasticall affaires; and consequently in all. For by entitling themselues the [d] *Vicars* of Iesus Christ; the Spouse of the Church; the soueraigne Bishop, and Prince of all others; the Masters and Lords of all the world (for these are the titles which *Innocent* the third, *Boniface* the eight, *Clement* the fift, and diuers others haue assumed. Also by inhibiting Kings and Princes

c *Conc. Mogunt. sub Carolo. Concil. Mogunt. sub Ludovico. Rectores Religionis.*

d *c. Fundamenta. § iste de elect. in 6. c. quanto de translat. episc.*

ces from entermedling in matters of Religion, and of the Church; and by exempting [e] themselues from the Iudgment of all men: by exempting also both the persons and goods of all the Clergie from secular subiection (as *Boniface* the eight sent letters by the Archdeacon of Narbone to *Philip* the Faire, forbidding him to exact any Subsidie vpon the lands and reuenues of the Church) also by challenging the whole world to be their [f] Dioceſſe, and by binding all men vpon neceſſitie of saluation, to their obedience, in matters which concerne the soule [g]; they haue alwayes been able to stirre vp, not onely weightie warres against the Emperours, but also most stiffe and vnnaturall rebellions. Which disordered demeanour, *Carion* accounteth the onely cause, that brought the empire to a feeble state.

So *Iohn* the third combined with *Berengar* the third, and *Adalbar* his sonne, who pretended themselues to be Kings of Italy; to make head against the Emperour *Otho* the great. Pope *Iohn* the eighteenth made league with *Crescentius*, and mutined the people against the Emperour *Otho* the third. *Benedict* 9. to stay *Henry* the black from entring into Italy, stirred *Peter* King of Hungary to beare himselfe for Emperor; to whom he sent a crown with this inscription.

Petra dedit Romam Petro, tibi Papa coronam.

Gregorie

[e] *si Imperator dist. 96.*

[f] *Licet. de so. comp. Ab. in c. fi. de pa. in 6.*

[g] *c. Vnam. de ma. & ob.*

Carl. lib 4. sce. leribus pontifi. cum hoc imperium languefactum est. Luit. praud. lib. 6. ca. 6. Cuspinian & Theodo. de Niem. in vita Otho 3.

Gregorie the ſeuenth, who was the firſt that enterpriſed to cauſe himſelfe to bee elected and conſecrated, without the conſent, and againſt the pleaſure of the Emperor; and who ſet forth a Decree, whereby he excommunicated all thoſe who ſhould affirme, that either the conſent or knowledge of the Emperour was herein neceſſary: oppoſed againſt the Emperor *Henry* the fourth, firſt *Rodulph* Duke of Suauie, giuing charge to the Archbiſhops of Ments and of Collen, to conſecrate him Emperour: to whom alſo he ſent a crowne with this inſcription.

Petra dedit Petro, Petrus diadema Rudolpho.

Afterwards, weary of nothing ſo much as of quiet, he ſtirred *Echert* Marquis of Saxony againſt the ſame Emperour. *Galaſius* the twelfth, raiſed againſt *Henry* the fifth Emperour, the moſt part of his ſubiects, and eſpecially the Archbiſhop of Ments; whom hee ſo ſtrongly ſeconded with the Normans that were in Sicily, that the Emperour was conſtrained to quit his quarrell, and to yeeld the collation of Biſhopricks to the Pope. *Innocent* the ſecond raiſed againſt *Lothaire* the twelfth, *Roger* the Norman, whom hee inueſted in the Duchie of Pouille: which the Emperour claimed to bee a Fiffe of the Empire. At the laſt the contention was compoſed by mediation of Saint *Bernard*, who then liued, and was with the Emperour;

wherein the Pope ſped ſo well, that hee was ioyned with the Emperour in holding Bauier. The ſame *Innocent* the ſecond rayſed *Guelphus* Duke of Bauier againſt *Conrade* the third; whom he ayded with money, and all other conuenient meanes. This warre was ſo villanouſly cruell, that it gaue beginning to the two factions of the *Guelphes*, who tooke their name from this Duke of Bauier; and of the Gibelines, ſo called of Wiebling, which was the place where the Emperour *Conrade* had been brought vp.

Bart. in tract. de Guelph. & Gib.

Againſt *Fredericke Barbaroſſa*, who ſucceeded *Conrade*, *Hadrian* the fourth raiſed them of Milan, and the other Lumbards; *Alexander* the third ſtirred the Dukes of Saxon and of Auſtrich, aiding them with all his power to intertaine diſquiet in Almaine. Pope *Celeſtine* the third excommunicated *Henry* the ſixth Emperour, the ſucceſſour and ſonne of *Fredericke Barbaroſſa*; and depriued him of all his dignities: making this the meanes to auoyd him out of Italy into Almaine. Againſt *Philip*, brother vnto *Henry* the ſixth, Pope *Innocent* the third cauſed *Otho* Duke of Saxony to bee elected Emperour; whereby the empire was embroiled with a moſt bloodie warre. Againſt *Fredericke* the ſecond, Pope *Honorius* the third raiſed the Lumbards in rebellion; adioyning the Sicilians to the ſide, and the greateſt part of the other Italians.

ans. All these troubles were so tempestuous, that the Emperour *Radulph* of *Huspurge* could neuer be perswaded to passe the Alpes for his Coronation: affirming, that Italy was the Denne of the Lion; wherof the entrance was faire, but the issue fearfull.

Clement the fifth armed and opposed *Robert* King of *Sicilie* against the Emperour *Henry* the seauenth; because he would not doe homage, and sweare faith to the Sea of Rome: and in the end caused him to bee empoysoned by a Iacobite, in giuing him the sacred host. What troubles had *Lewes* of Bauier against *Fredericke* of Austrich, who was elected Emperour at the same time with him, by the faction of Pope *Iohn* the 22? The same troubles were continued by Pope *Clement* the sixth, who caused *Charles* the fourth King of Boheme, to bee elected Emperour; and yet hee could not enioy the Empire vntill after the decease of *Lewes*. This *Charles* was a weake Prince both in counsaile and courage; who in fauour of the Popes did extreamly both enfeeble and abase the Empire of Rome. *Nauclerus* writeth, that hee entred the Citie of Rome on foote; in derision whereof a certaine Senatour began a speech which hee made to the people with these words: *Ecce Rex tuus venit tibi mansuetus*. *Petrarch*, who liued at that time, did also write betwene

ſcorne and diſdaine of this deiection of the imperiall Maieſty.

I omit the Tragedies which *Eugenius* the fourth raiſed againſt the Emperour *Sigiſmond*; principally to impeach the Councell of *Baſil*. I omit that which *Paul* the ſecond did to chaſe *Fredericke* the third out of Italy. Generally they alwayes indeauoured to endomage the Emperours; not only as hating them (for ſo *Guicciardine*[a] ſaith, that it grew into a Prouerbe; *It is proper to the Church to hate the Cæſars*) but as fearing to bee endomaged by them. In the end, partly by oppoſing enemies, and partly by raiſing rebellions againſt the Emperours; the Popes haue been able to expell their gouernment out of Italy. Whereof our Country-man *Sanders*[b] in this ſort hath written: *It is a thing more admirable then can bee vttered, and able to make a man aſtoniſhed; that when the moſt puiſſant Emperours did for many ages diſplay all their forces to no purpoſe, for driuing the Roman Biſhops from the City of Rome: now to the contrary, the Romane Biſhops without any power, haue remoued the Romane Emperours from the tower of the Empire, & made themſelues Lords of the Pallaces of Cæſars, and turned the whole City into their proper power.*

This is true (Maſter *Sanders*) which you haue ſaid; but neither is it worthy of any wonder; neither is it all that which the Popes

a *Guic. in comment. polit.*

b *Sand. lib. 4 de clau. Dauid. Stupendares, & ſupra quam d. ci poteſt admiranda, vt cum potentiſſimi quiq; Imperatores per aliquot ſecula omnem ſuã vim in exterminandis ex vrbe Roma pontificibus Romanis, fruſtra explicuiſſent; nunc e contrario, pontifices Romani abſq; vlla vi Romanos Imperatores ex arce Imperij ſi mouerunt, palatiis Cæſarum atque adeo tota vrbe in ſuam poteſtatem conuerſa.*

Popes haue done. What maruell is it that moſt puiſſant Emperours could neuer preuaile againſt the Biſhops of Rome; when their owne Subiects were perſwaded, that they drew their ſwords againſt Heauen, and made offer (like thoſe Giants of whom the Poets write) to ſcale the skies, and to pull God out of his Throne? Where Subiects haue beene of other opinion, there Princes haue preuailed againſt many Popes. Again, what neceſſity had the Popes to vſe force of Armes, when the Conſciences of men were vnder their command? when they had perſwaded the world, that it was not ſufficient both to know and imbrace the Catholicke faith, vnleſſe it were with ſubiection to them. Whilſt this rule held good, Cloyſters and Colledges were in ſtead of Caſtles vnto them; and religious perſons were in ſtead of many Armies. Theſe were their Garriſons, theſe their Soldiers; theſe quelled the courage of all their enemies, by thundring forth threats againſt thoſe who diſobeyed them; not of death, which might bee peraduenture either contemned or elſe auoyded; but of damnatiõ: which as it is moſt terrible, ſo was it held for this cauſe vnauoydable. For ſo *Boniface* the eighth decreed, that vpon neceſſity of Saluation all men muſt bee ſubiect to the Biſhop of Rome. Theſe forces were planted within euery State, and by

Turrecr. Quæſt. ex S. Tho. q. 134

In extrauag. vnam ſanctam. Porro ſubeſſe Rom. Pont. omnem humanam creaturam declaramus, dicimus, diffinimus & pronuntiamus omnino eſſe de neceſſitate ſalutis.

ſcorne and diſdaine of this deiection of the imperiall Maieſty.

I omit the Tragedies which *Eugenius* the fourth raiſed againſt the Emperour *Sigiſmond*; principally to impeach the Councell of *Baſil*. I omit that which *Paul* the ſecond did to chaſe *Fredericke* the third out of Italy. Generally they alwayes indeauoured to endomage the Emperours; not only as hating them (for ſo *Guicciardine*[a] ſaith, that it grew into a Prouerbe; *It is proper to the Church to hate the Cæſars*) but as fearing to bee endomaged by them. In the end, partly by oppoſing enemies, and partly by raiſing rebellions againſt the Emperours; the Popes haue been able to expell their gouernment out of Italy. Where of our Country-man *Sanders*[b] in this ſort hath written: *It is a thing more admirable then can bee vttered, and able to make a man aſtoniſhed; that when the moſt puiſſant Emperours did for many ages diſplay all their forces to no purpoſe, for driuing the Roman Biſhops from the City of Rome: now to the contrary, the Romane Biſhops without any power, haue remoued the Romane Emperours from the tower of the Empire, & made themſelues Lords of the Pallaces of Cæſars, and turned the whole City into their proper power.*

This is true (Maſter *Sanders*) which you haue ſaid; but neither is it worthy of any wonder; neither is it all that which the Popes

a *Guic. in comment. polit.*

b *Sand. lib. 4 de clau. Dauid. Stupendares, & ſupra quam dici poteſt admiranda, vt cum potentiſſimi quique Imperatores per aliquot ſæcula omnem ſuã vim in exterminandis ex vrbe Roma pontificibus Romanis, fruſtra explicuiſſent; nunc e contrario, pontifices Romani abſq; vlla vi Romanos Imperatores ex arce Imperij ſi mouerunt, palatiis Cæſarum atque adeo tota vrbe in ſuam poteſtatem conuerſa.*

Popes haue done. What maruell is it that moſt puiſſant Emperours could neuer preuaile againſt the Biſhops of Rome; when their owne Subiects were perſwaded, that they drew their ſwords againſt Heauen, and made offer (like thoſe Giants of whom the Poets write) to ſcale the skies, and to pull God out of his Throne? Where Subiects haue beene of other opinion, there Princes haue preuailed againſt many Popes. Again, what neceſſity had the Popes to vſe force of Armes, when the Conſciences of men were vnder their command? when they had perſwaded the world, that it was not ſufficient both to know and imbrace the Catholicke faith, vnleſſe it were with ſubiection to them. Whilſt this rule held good, Cloyſters and Colledges were in ſtead of Caſtles vnto them; and religious perſons were in ſtead of many Armies. Theſe were their Garriſons, theſe their Soldiers; theſe quelled the courage of all their enemies, by thundring forth threats againſt thoſe who diſobeyed them; not of death, which might bee peraduenture either contemned or eſſe auoyded; but of damnatiõ: which as it is moſt terrible, ſo was it held for this cauſe vnauoydable. For ſo *Boniface* the eighth decreed, that vpon neceſſity of Saluation all men muſt bee ſubiect to the Biſhop of Rome. Theſe forces were planted within euery State, and by

Turrecr. Queſt. ex S. Tho. q. 134

In extraueag. vnam ſanctam. Porro ſubeſſe Rom. Pont. omnem humanam creaturam declaramus. dicimus, diffinimus & pronuntiamus omnino eſſe de neceſſitate ſalutis.

theſe might any State bee ſupplanted.

By theſe means the Biſhops of Rome were eaſily able, not only to driue the Roman Emperours from the chiefe Tower and Seate of the Empire; but alſo making one wrong the cauſe of another, to reduce them to a very low degree both of power and of authority within Almaine; and to hold them as no better then vaſſals to their Sea *. For after that eight Emperours had beene excommunicate by Popes; namely, *Fredericke* the firſt, *Fredericke* the ſecond, *Philip*, *Conrade*, *Otho* the fourth, *Lewes* of Bauaria, *Henry* the fourth, and *Henry* the fifth, (which was occaſion enough for their Subiects to reuolt, and for other Princes to inuade) the ſucceeding Emperours, partly vnwilling, but principally vnable to ſuſtaine ſo ſad and heauy blowes, ſubmitted themſelues to the Papall power, renounced the right, which by long cuſtome they claimed, in election of the Pope, and of other Biſhops. And on the other ſide, the Emperour *Charles* the fourth acknowledged by his Letters Patents *, that although hee was elected Emperour by the Princes; yet hee was to bee confirmed by the Pope, & to receiue the Imperiall Crown from him. Whereupon Pope *Pius* the fifth did ſharply rebuke the Emperour *Ferdinand* by his Legat, for neglecting to receiue of him the Imperiall Crowne; neither would

* *Tibi domino 63. diſt. c. venerabilem. de elect Ab. in c. licet ſo. de comp.*

* *Incip. poſt pedum oſcula.*

would hee admit the Emperours excuſe, but had proceeded by Excommunication to compell him, had hee not by intreaty of the French King, and of King *Philip* of Spaine the Emperours Kinſman, beene otherwiſe appeaſed.

Heerewith they haue heaped many vnſauory ſpeeches againſt Emperors and Kings. As that the Emperour is the Popes man[a]. That *how much the moone is leſſe then the Sun, ſo much is the Emperour inferiour to the Pope*[b]. That *there is no doubt but that the Pope hath ſuperiority ouer the Empire*[c]: That *Prieſts are the Fathers and Maſters of Kings and Princes; and that it is a miſerable madneſſe for children to ſubiect their Fathers, or Schollers their Maſters*[d]. That *Chriſtian Emperours muſt ſubiect their executions to Eccleſiaſticall Prelates*[e]. With diuers like immodeſt dreames; deliuered vnto vs for diuine Oracles.

a *Catalog. teſt. verit. ex Radevico.*
b *c. Solita de Maio. & ob.*
c *c. Paſtoralis. Clem. de Appell.*
d *diſt. 95. c. Quis dubitet.*
e *Diſt. 96. c. ſi Imperator.*

In the forme of the Coronation of the Emperours, which was approued by the Emperour *Charles* the fourth, and is kept in the *Vaticane* at Rome; many ſeruile ceremonies are contained. As that the Emperour ſupplyeth the Office of a Sub-deacon, in miniſtring to the Pope when he ſaith Maſſe; and that after diuine ſeruice he holdeth the ſtirrop, whilſt the Pope mounteth to horſe; and for a certaine ſpace leadeth his horſe by the

Sac. ceremon. eccleſ Rom.

the bridle. Add heere to the kiſſing of the Popes feete, as *Charles* the fifth did, at Bononia, at Rome, and laſt of all at Marſielles in Prouence, in the preſence of diuers other great Princes; add their humble ſubſcriptions to the Pope; *I kiſſe the hands and feete of your holineſſe:* add that they muſt ſeeke the Pope for receiuing the Imperiall crowne whereſoeuer hee ſhall bee; and follow him if hee chance to remoue: with diuers like tokens and teſtimones of *deiection* of the Maieſty of the State, and *ſubiection* thereof to the Sea of Rome. For further declaration whereof, during the life of the Emperour, the Popes challenge to bee his Iudge; and the Emperiall ſeat being void, they claime the exerciſe of Imperiall power, and haue giuen inueſtitures & receiued fealty of thoſe who held of the Empire; as of *Iohn* and *Luchin*, Vicounts of Milaine *. For which cauſe the Canoniſts alſo (who louing their ambition better then their liues ſet vp theſe ſtrings to the higheſt ſtraine) maintaine opinion, that the Emperour cannot reſigne his Imperiall dignity to any other then the Pope: and that it is a ſtraine of hereſie * not to beleeue that the Emperour is ſubiect to the Pope; and that the Emperour is but the Popes Miniſter * to vſe his Sword onely at his becke. Laſtly, Pope *Clement* the fifth expreſsly declared by Decree *, that the Oath which the Em-

Pan. c. cauſam. qui fil. ſi. le. & c. ſoli. de ma. & ob. c. nouit. de iudi. & c. licet. n. 8. de ſa. comp & in c. 1. n. 2. 3. 4. de probat.

* *Anno* 1341.

* *Feli. in c. firmiſſime, n. 1. de hæret.*

* *Molina tract 2. de Iuſt. diſput. 29.*

* *Cle. Rumani de Iureiur.*

Emperour maketh to the Pope, is no other then an Oath of fealtie.

Neither hath it been againſt the Empire onely that the Popes haue had this power to preuaile, but againſt diuers other Chriſtian countries: in ſo much as they haue claimed to hold, either as feudataries, or as tributaries to their Sea, the kingdome of *Naples*, *Sicilie*, *Hieruſalem*, *Sardinia*, *Corſica*, *Arragon*, *Portugale*, *Nauarre*, *Ireland*, *England*, *Scotland*, *Poland*, *Hungary*, to which *Cuiacius* [t] adioyneth the kingdome of *Fraunce*; which Pope *Boniface* the eight, declared to bee deuolued to the Church, for the contempt and diſobedience of King *Philip* the Faire: for thus hee ſent him word by the Archdeacon of Narbone; *That for his contumacie, and for violating the law of Nations, the kingdome of Fraunce was deuolued to the Church of Rome.* Which for this cauſe hee gaue, together with the Empire, to *Albert* Archduke of Auſtria. And Pope *Alexander* the ſixt in diuiding the late diſcouered parts of the world, betweene the Kings of Caſtile and Portugale, expreſſely reſerued to his Sea, the Iuriſdiction and Soueraignty of them, by conſent of both Kings; who from that time became his vaſſals, of all the purchaſes and conqueſts which before they had atchieued, or intended to enterpriſe in times to enſue. Generally, they challenge tempo-

t *Cuiac. c. 7. de Imp.*

rall ſoueraignтie in all countries [b]; habitually at the leaſt; which at pleaſure they may produce into act [c]: whereby the ſubiects of any State may haue recourſe vnto them [d]; to forme complaint, or ſuite againſt their Prince [e]; to bee relieued or protected by them, and to receiue priuiledges & immunities at their hands [f]. Wherby alſo they may iudge the actions of Princes; and vpon ſuch cauſe as they ſhall thinke meet, puniſh, excommunicate, depriue them, denounce publike warre againſt them [g]: free their ſubiects from ſubiection vnto them. As Pope *Pius* the firſt, not onely abſolued the ſubiects of England from their allegeance to the late Queene *Elizabeth*, but commaunded them alſo to turne Traytors, and take armes againſt her*. After which Bull few yeares paſſed without ſome notable attempt, either againſt her perſon, or againſt the State. Hereupon *Poſſiuinus* ſaith [h]: *It is iudged that no Chriſtian Monarch hath his crowne wholly giuen him from Heauen, vnleſſe it receiues firmeneſſe and ſtrength from Chriſts Vicar.* And likewiſe *Sancius*, as hee is alleaged and followed by *Carerius* [i]: *It is holden according to naturall, morall, and diuine Law, that the dominion of the Romane Biſhop, is the true and onely immediate dominion in all the world: and that the imperiall dominion of Kings dependeth vpon it, and oweth ſeruice and attendance thereto; as a meanes,*

b *Pan. in c. fi. de Baptiſm.*

c *Pan. in c 1. de ſo. comp. & in c 1. de probat.*

d *Pan. in c ſi duobus. de appell.*

e *Pan. in c. 1. de prob. n. 2. & 3. & n. 6.*

f *Pan. in c per venerabilem. n 1. qui fil. ſunt legitti.*

g *Pan. in d c. per venerabilem § ſicut. n. 12. de iureiur. & in c. & ſi neceſſe. de do. inter vir. & vx.*

Pius 5. in bulla

h *In Biblioth. ſelect. pa. 17.*

i *De Pot. Rom. pont. pag. 131.*

meanes, minister and instrument: and that by him it receiueth institution and Ordination; and at the commaundement of the Papall dominion, it may bee either chastised or remooued. And that in the gouernment of the world, secular dominion is not necessary; either in pure and meere, or in expedient necessitie. Therefore (saith he) *resoluing this article we say; that in all the world there is but one dominion, and but one vniuersall and supreme Monarch; and this is Christs Vicar; according to that in Daniell*[k]: Hee gaue him dominion, and honour, and kingdome; and all people and languages shall serue him. *In him therefore is the fountaine and originall of all dominion, and from him the other powers do flow.* And albeit these frensies haue alwayes been encountred by men of most approued iudgment; albeit this was neuer allowed to bee a *right*; yet how in *fact* it hath been practised and obserued, *Blondus* testifieth in saying[l]: That all Princes of the world did honour and worship the Pope as GOD: and that almost all Europe sent greater tributes to Rome, or at least equall to those of ancient times.

[k] Dan. 7. 14.

[l] *Blond. Ius. Roma. lib. 3. Omnes principes orbis terrarum Pontificem vt summum deum honorant, & colunt, &c.*

It would bee very tedious to giue but a light touch, to all the desperate distresses that hereupon haue been occasioned, in diuers forraine countries; which out of their Annals may be furnished with ease. And the sequell now sheweth, that the chiefe en-

creaſe and eſtabliſhment of the Turkiſh Empire, hath proceeded from the outragious warres, which by this meanes haue been occaſioned among the Chriſtians: for this hath been the principall tempeſt that hath troubled all the calme ſeas of Europe; and cauſed her on all ſides to bath her limmes in the blood of her children. Againſt our owne State wee cannot bee ignorant, what heeretofore hath been acted; eſpecially vnder the raigne of King *Iohn*. What hath been lately, what freſhly, what is daily attempted, it cannot poſſibly eſcape the memorie of thoſe that liue in this preſent age: And for helpe of thoſe who are to ſucceed, report thereof ſhall bee made at large, in a Hiſtory intended for the times lately paſſed, and now preſently running. The accumulating of theſe examples in this place, would be a matter of ſome labour, for clearing that which hath little doubt.

And it is doubtfull whether the aſpiring to this vnlimitted authoritie hath more ſhaken Chriſtian Common-wealthes, or the Church of Rome. For firſt, whileſt the Pope and his Clergie endeauoured by all meanes, without meane, to aduance this temporall ſoueraigntie ouer all the world; Pietie and Religion did not onely decline by degrees, but runne headlong to a ruinous fall. For ſo *Machiauell* could ſay [m]; *That there*

[m] *Diſput. de rep. lib. 1. cap. 12.*

there was no where leſſe pietie and Religion, then in thoſe who dwelt neereſt to Rome. And *Hoſpinian* affirmeth [n] that the name of Chriſtian in the Italian tongue, was vſed to note a blockhead, or a foole.

Secondly, vpon this occaſion many countries fell away, not onely from the dominion, but from the doctrine of the Church of Rome. For when they ſaw that their maine drift was to temporall greatneſſe; that many concluſions tending to that end, were obtruded by them, as articles of faith: they began to examine their Euidence, to looke into their Title, and to cut off that power which would not bee confined. It was odious to the Heathen, that *Domitian* would be called, *Our Lord God the Emperour* [o]. What then ſhould Chriſtians think of him, whom they heard proclaimed; *Our Lord God the Pope? Gods Vicar vpon earth* [p]? *Not a meere man* [q]? *Neither* GOD *nor man, but betweene both* [r]? Who would be reputed the *Atlas*, and Colume of all the world; to *Depoſe*, *Diſpoſe*, *Impoſe* in Kingdomes as he pleaſe [s]. When they vnderſtood this *worthie*, or rather *wordie* argument, made for his greatneſſe: *Chriſt committed his Authoritie and place to the Pope:* Math. 16. *but all power in Heauen and vpon Earth was giuen to Chriſt:* Math. 28. *Therefore the Pope hath this power.* Thus concludeth *Bertrandus* [t]: Adding this alſo

n *Hoſpin. de orig. Monach. lib. 6. cap. 66.*

o *Suet. & Sext. Aur. Victor. in Domit.*

p *Glo. in proem. Sext.*

q *De tranſlat. Ep. c quanta.*

r *Glo. in proem. Clem.*

s *de Apell. c. paſtoralis. in cle. de. ſen. & re Judic. c ad Apoſtolic. in 6. diſt. 63. c. tibi domino.*

t *In addit. ad extrauag. vnam ſanctam.*

alſo, which is little ſhort of blaſphemie; that our Lord (with reuerence be it ſpoken) had not ſeemed to haue diſcreetly done, if hee had not left one behinde him enabled with this power. Aſſuredly, theſe high ſoaring ſtraines of Supremacie, could not but be like to *Seianus* Horſe, or the Gold of Tholous; dangerous, if not fatall to him who would aſpire to poſſeſſe it.

For, that the Title and power of King could not thus bee beaten downe, it might eaſily bee conceiued by theſe reaſons following. 1. It was more ancient then the title of ſpirituall Rulers: but the later doth not deſtroy the former; Grace ouerthroweth not Nature; Kings muſt not looſe by becomming Chriſtians. 2. Dominion is expreſſely giuen by Scripture to Kings. 3. It is expreſſely denied by Scripture to the Clergie. 4. The Church in this world is not at home; it is a trauailer, a ſtranger: and there is no reaſon that ſtrangers ſhould either expell or command the ancient Inhabitants.

THus much in ſubſtance, but ſomewhat more briefly deliuered: it ſeemed that there was not any man in that preſence, who either in *reply* or in *ſupply*, had not ſomwhat to ſay. That onely was a hinderance to the diſcharging of their minds, which is pleaſantly ſaid to haue diſſolued the Parliament

of

of women; becauſe they could not agree to ſpeake one at once. Many ſhewed themſelues ſo impatient of ſilence; and they who vpon aduiſement could haue ſaid leaſt, were vpon the ſodaine moſt franke & forward in words. At the laſt, that which was the cauſe that no man could haue free liberty of ſpeech, did driue them all into a dumbe dumpe. Which opportunity was forthwith apprehended by a thicke Theologian; whoſe formall attire, countenance and carriage, was a good ſupplie to other defects. And ſo hauing compoſed himſelfe to all complements of grauity and grace; hee began his ſpeech after the ſet & ſolemne manner of thoſe, who contenting themſelues with commendation of memory, doe more diligently endeauour to repeate then to replye.

You haue declared vnto vs (ſaid hee) that 31.
the proper qualities of the rights of Maieſty are, to be both perpetuall and alſo abſolute; as neither depending vpon any other, nor yet held either vpon charge, or with exception and reſtraint. That theſe rights conſiſt in managing affaires of higheſt nature, which cannot bee ſeparated from the ſoueraigne power: becauſe vpon the guiding of them, all the fortunes of a State doe follow. That nothing is of ſo high nature in a State, as is religion: and that therefore the ordering thereof

thereof is annexed, as a right of Maieſtie, to the ſoueraigne power; whether it bee ſetled in a King, or in the Nobility, or in the people. For, ſeeing Religion commandeth the Conſcience, and holdeth the Soule in ſubiection; if ſupremacie therein bee acknowledged to be in a forraigne Prince, the ſinewes of domeſticall Soueraignty are cut in ſunder. You haue brought certaine examples of dangerous conſequence, when either Strangers or Subiects haue beene followed for Religion. You ſhewed that for auoiding the like dangers, two pollicies were anciently obſerued: one conſiſted in excluding externall Ceremonies and Rites; the other, in ſetling the gouernment for matters in Religion, in the ſupreme power and authority in the State. That this laſt was practiſed among the Iewes, Ægyptians and in diuers other Countries. In the foure great Monarchies alſo of Aſſyria, of Perſia, of Græcia and of Rome. Of Rome (you ſay) firſt, vnder the gouernment of Kings; ſecondly, in the popular State; thirdly, vnder Heathen Emperours; and laſtly (for a good ſpace) vnder Chriſtian Emperours. Who in matters of circumſtance and of externall forme in Religion, both vſed, and were acknowledged to haue ſupreame authoritie: of whoſe Lawes diuers were afterwards either aſſumed by Popes, or attributed vnto them.

them. Concerning matters of ſubſtance, and of internall forme, they aſſembled generall Councels; wherein they held the Primacie; and confirmed the Acts of them by Imperiall Decree. You declared alſo, that when Conſtantinople was aduanced to bee the head of the Empire, a ſtiffe ſtrife did ariſe betwixt the Biſhops of Conſtantinople and of Rome, whether ſhould bee greateſt: that diuers Emperours fauoured the Church of Conſtantinople; but at the laſt, Pope *Boneface* obtained of the Emperour *Phocas*, that the Sea of Rome ſhould bee the chiefe of all other Churches. This you account an errour in gouernment; to ſettle a power of ſo high quality, in a place farre diſtant from the principall ſtrength of the Empire. For hereby the Biſhops of Rome did grow to ſuch greatneſſe, that they drew the weſt part of the Empire to reuolt; and left the reſidue for a prey to the barbarous Infidels. Laſtly, you haue ſhewed, that the Biſhops of Rome aduancing their authority by degrees, haue beene of power, to reduce the weſt Empire to a feeble ſtate; and to hold, not the Emperour alone, but all the chiefe Kings in Europe, either as Vaſſalls, or as Tributaries to their Sea. Generally they haue challenged Soueraigne iuriſdiction ouer all Kingdomes and Common-wealthes in the world: whereby they haue caſt diuers Countries, and a-

mong others this Realme of England into desperate distresses.

Now, before answere should bee offered to all these seuerall points, I would thinke it fit (vnder the leaue of better Iudgements) to take some reasonable respite to aduise vpon them; becausse questions of this high nature, are not alwayes the same which sodainely they seeme: and he bewrayeth too great opinion of his owne sufficiencie, who presently will vndertake a controuersie of this weight. But, if Christ hath expressely committed supreme power in religion to the Sea of Rome, then is no place left to these rules and reasons of State.

Nay (answered the Bishop) I haue protested before, that we haue neither leasure nor lust to engulph our selues in such an Ocean. *If Christ hath expressely committed to the Sea of Rome!* This is a large supposall indeed; and that which will neuer settle in the opinion of many, who are otherwise firmely affected to the doctrine of the Church of Rome. Yea, I am assuredly perswaded, that the violence of ambition hath pulled many Bishops of Rome from their owne iudgement; in making claime to that authoritie, which they neuer had, either title to hold, or abilitie to rule. For diuers of them being sodainely borne out of a low retired state; namely, from some Cloyster or Heremitage into an vn-

vnknowne Sea of abſolute authoritie; they were ouerſwayed therewith, like a ſmall boate with too large a ſaile. And being men for the moſt part, ſpent in age, vntrained in experience, and neither by nature nor by education of abilitie, to conceiue the bounds and degrees of great affaires; they tooke to themſelues a licentious libertie. Suppoſing it reaſonable, yea altogether neceſſary; that all the Kings and Princes of the earth, who hold their eſtate immediately from heauen, who receiue their power from the hand of God: ſhould bee ſubiect to the pleaſure, the paſſions, the fierie fury, the ignorance, the errors, the malice, of one haughtie and humerous man; whoſe weakneſſe is ſubiect (as it hath been plainly declared by their liues) to all immoderate motions of humanitie. And all this vpon no other ground, but becauſe Chriſt ſaid to Saint *Peter*; *Thou art Peter, and vpon this rocke will I build my Church, &c.* But what is this to Supremacie? What is this to the Biſhop of Rome? diuers queſtions muſt bee cleered before this will ſerue the one or the other. Matth. 16.

For, firſt it is but weakly aſſured, that S. *Peter* euer was at Rome. Many reaſons are alleaged againſt it; and many authorities are brought for it. But it often happeneth, that the common conſent of Writers is like vnto a flocke of fowles; as one flieth, all doe follow. 32.

Secondly, it is leſſe aſſured that euer hee was biſhop of Rome. For, being an Apoſtle, his charge was generall; *Goe teach all nations*; and therefore not to bee, as a Biſhop, either limitted or ſetled in any one particular place. Or if wee will ſay, that either by appoyntment, or by choiſe, ſome part of this generall charge was apportioned to S. *Peter*; then this ſeemeth, or rather is moſt aſſured to haue been *Iudea*, by that which S. *Paul* hath written: That, *the Goſpell of Circumciſion was committed to Peter, as the Goſpell of the vncircumciſion was vnto him.* And therefore wee finde in Scripture, that S. *Paul* was expreſſely ſent to Rome; but that S. *Peter* was euer at Rome, we hold it by tradition. This is further confirmed by the long abode which S. *Peter* made in Iudea, and by the ſhort ſtay which is poſſible hee could haue made at Rome; euen by computation of them who beſt fauoured the dignitie of that Sea.

Matth. 28.

Galath. 2. 7.

Act. 23. 11.

With that he called for *Onuphrius*, and out of him read: That S. *Peter* liued after the death of Chriſt 34. yeares, 3. moneths, and odd dayes; that the firſt nine yeares hee remained in Iudea; that in the tenth yeare after Chriſts Paſſion, in the end of the ſecond yeare of the Empire of *Claudius*, hee departed from Iudea for feare of *Agrippa*; from whoſe impriſonment he had been deliuered by

Act. 23. 11.

by an Angell; that after hee had trauailed preaching through many countries, he came to Rome, and there contended with *Simon Magus:* That after foure yeares ſpent in trauaile & abode at Rome, *Agrippa* being dead, for feare of whom he forſooke Iudea; he returned to Ieruſalem, and was there preſent at the Councell of the Apoſtles, wherein Circumciſion was abrogated: That after this he remained ſeuen yeares at Antioch; that in the beginning of the Empire of *Nero*, he returned to Rome, and from thence trauailed almoſt through all the parts of Europe: that comming againe to Rome in the laſt yeare of *Nero*, S. *Paul* and he were there martyred.

To this agreeth that which *Irenæus* ſaith *; *The bleſſed Apoſtles Peter and Paul, laying the foundation of the Church of Rome, committed to Linus the Biſhopricke, or charge of adminiſtration of that Church.*

Now, the third queſtion is, Whether *Chriſt* as man had any temporall dominion. Wee know, that *Chriſt* as he is the Sonne of GOD, is *the King of Glorie*, and *hath all power in Heauen, and vpon Earth*; whoſe kingdome ſhall neuer either determine, or decay. But as he was the ſonne of man, hee had not where to reſt his head; hee profeſſed plainly, *That his kingdome is not of this world.* *But the Pope claimeth to bee the Vicar of Chriſt, not as God, nor as a glorious and immortall

* *Iren. de hæreſ. lib. 3. cap. 5. Fundantes beat. Apoſtoli Petrus & Paulus Romanam eccleſiam, adminiſtrãdæ eccleſiæ epiſcopatum tradiderunt Lino.*

* *Dicimus Papã habere illud officiũ quod habuit Chriſtus cum in terris inter homines humano more viueret. Nec enim Pontifici tribuere officia quæ habuit Chriſtus vt Deus, vel vt homo immortalis & glorioſus; ſed ſolũ ea quæ habuit vt homo mortalis. Bell. li. de Rõ. Pont. c. 4*

mortall man; but as hee liued a mortall man vpon earth. And assuredly, as so hee liued, Christ did neither impeach nor impaire the temporall right of any man: the same authoritie that Princes had, either by the Law of Nature, or of Nations, before his comming; the same he left vntouched at his departure. The same temporall subiection also which his Apostles did beare to their Princes before they followed Christ, the same they owed afterward; as being no impediment to the preaching or propagating of the Gospell. This they professed, this they practised; this they openly declared, both in their doctrine, and in their demeanour.

The fourth Question may bee, Whether by these words, *Thou art Peter, &c.* or by any other, Christ gaue to Saint *Peter* and to his successours, any speciall power or Iurisdiction, either spirituall or secular, more thē vnto the residue of the Apostles. Where did he exercise? when make claime to any such power? by which of the Apostles was it acknowledged? by what ancient Father of the Church aduowed? For if this prerogatiue of authoritie be a maine ground of Christian Religion; is it probable, is it possible, that the Euangelists and Apostles should not much enforce, not once mention it? Did Saint *Peter* himselfe so little either know, or

regard

regard his owne dignitie? Would the Apoſtle Saint *Paul*, in that large Epiſtle which hee wrote to the Church of Rome, when their faith was moſt famous [a]; in which Epiſtle he comprehended, as *Theodoret* ſaith [b]; *All kinde of learning and an exact and copious diſcuſſing of opinions*, haue ſpoken nothing of this prerogatiue and power, whereon many poynts of doctrine in the Church of Rome doe now depend? Aſſuredly this argument *ab abnegatione Scripturæ*, is a moſt forcible argument in principall poynts of faith. Yea, diuers teſtimonies of Saint *Paul* doe beare againſt it: Saint *Auguſtine*, Saint *Cyprian* and others of principall authoritie in the Church doe expreſſely denie it. Whereas the Scripture giueth ſo large and plaine teſtimony, both for the title and authoritie of Kings, as it ſeemeth no greater can be added thereunto.

a 1 Rom. 8.

b *In præfat. in Epiſt. Pauli. Omnis generis doctrinam, & accuratam copioſamque dogmatum pertractationem*

Aug. tract 50. ad cap. 12. Jo. Cypr. in tract. de ſimplic. cler.

The fifth Queſtion may bee, whether any power was giuen vnto Saint *Peter*, as Biſhop of Rome (which before the Aſcenſion of Chriſt hee could not be) otherwiſe, how falleth it, that the ſame ſhould bee rather fixed in the Church of Rome, then in the Church of Antioch, or any of thoſe Churches, where it is manifeſt by the Scriptures, that he remayned many yeares, imploying himſelfe in the exerciſe of his charge?

Sixtly,

Sixtly, what assurance can wee haue, that the power which is said to bee *committed* to S. *Peter*, was to bee *transmitted* entirely to any of his Successors in place; who are so farre from being mentioned, as it is nothing probable that euer they were ment. For, as *Matthias* was not the worse for succeeding *Iudas* in place; so is not any man the better, onely for his locall succession to S. *Peter*. The Canon law saith: *they are not the children of Saints who occupie their roomes, but who doe their workes* [a].

a Dist. 40. c. non est facile.

The VII. question may bee, whether the Bishop of Rome bee Saint *Peters* Successor. For; may any thing bee hereditarie in an Apostle [b]? May a Bishop bee an Apostles Heyre? May an Apostle bee subiect to a Bishop? *Baronius* accompteth that S. *Peter* dyed in the yeare sixtie nine, and Saint *Iohn* in the yeare 101. By which Computation Saint *Iohn* liued 32. years after the death of Saint *Peter*. Dare any of the most resolute Romanists affirme, that during all this time Saint *Iohn* was either not of the Church, or else in subiection to *Linus* and *Anacletus*; to bee ordered and directed by them? to visite their Sea? to kisse their feete? to doe all other ceremonies of obedience to them? Away, away. S. *Peter* refused such behauiours of subiection from a Centurion: and shall any vnder pretence of succession from him,

b Ad an. 69. & 101.

him, claime, yea extort it from ſupreme Princes? Many queſtions may alſo riſe, touching the lawfull right of Succeſſion; whether euery Pope were Canonically elected; whether not by Simonie, or by force, or by ſome other monſtrous meanes, which made them incapable of ſucceſſion.

Laſtly, ſeeing the promiſes of God are with exception; if wee continue in obedience to his will; according to that which *Moſes* hath ſaid: *Know therefore that the Lord thy God, he is God, the faithfull God, who keepeth couenant and mercie with them that loue him and keepe his commandements.* And therfore, although all the Land of Canaan was expreſsly promiſed, to *Abraham* and to his ſeede for an euerlaſting poſſeſſion: yet was the poſterity of *Abraham* for their diſobedience, firſt caſt out of the greateſt part therof, and afterwards diſpoſſeſſed of all. And although the Kingdome of Iſrael was expreſsly promiſed to *Dauid* and to his ſeed for euer; yet the ſucceſſion was broken off by reaſon of their ſinnes. And againe, ſeeing the Church of Epheſus, although furniſhed with many excellent vertues, was threatned notwithſtanding, that the Candleſticke ſhould bee remoued out of his place; onely for that their firſt loue was abated. If wee ſhould ſuppoſe (ſuppoſall is free) that expreſſe promiſe was made to Saint *Peter*, and

Deut. 7. 9.

1 Sam. 7. 16. Pſalm. 89. 36.

Apoc. 2.

to his Succeſſors the Biſhops of Rome, that they ſhould repreſent the authority of Chriſt vpon earth; it will bee a hard piece to perſwade men who haue not abandoned their owne iudgement; that this power was not long ſince either expired or reuoked: by reaſon of the diſſolute diſorders, the irregular outrages and impieties, which haue been ordinary in that Sea. *Marcelline* ſacrificed to Idols; *Liberius* was an Arian; another a Neſtorian; another an Eutychian; another a Monothelite; (and which is worſt) another, and another and many others were meere Atheiſts: in regard of whom it ſeemeth ſomewhat tollerable that the Ieſuites haue affirmed; that a man who is no Chriſtian, may be the Pope. *Anaſtaſius* the ſecond embraced the errour of *Acatius*. *Sabinian* was a man of baſe behauiour, and altogether oppoſite to the vertues of Saint *Gregory*, *Conſtantine* the ſecond procured himſelfe to bee elected by corruption and force. *Ioan* the eighth was a woman and a harlot. *Romanus*, *Theodorus*, *Iohn* the tenth, and *Chriſtopher* were infamous; for ſeditions, Symony, luſt, and other baſe abuſes in life. *Iohn* 11. the Baſtard of Pope *Sergius*, was elected by fauour of *Theodora* his miſtriſſe. *Iohn* the 13. was accuſed of many vile villanies before the Emperour *Otho* the great. *Boniface* the 7. *attained* his place by corruption, and *maintained*

Declarat. facerd. ad Clem. 8. pa. 29.

tained it by Sacriledge. *Silueſter* the ſecond was a Magician, and came to his dignity by couenanting with the diuell. *Benedict* the 10. was compelled to quit his place becauſe of his Symony. *Boniface* the 8. was aduanced like a Foxe, reigned like a Lyon, and died like a dogge. What? ſhall wee ſay, that all theſe were the Oracles of Heauen? the heads of the Church? the guides & grounds of Religion? the Succeſſors of Saint *Peter*? the Vicars generall of Ieſus Chriſt? Shall we aduance them in regard of their place, aboue the cloudes; and yet depreſſe them for their liues, euen downe to Hell? Will worldly Princes indure ſuch, who are not onely vnſeruiceable vnto them, but diſhonourable, but rebellious, for their Lieftenants? May a man bee a Catholike, yea head of the Catholike Church; and yet an Hereticke, an Infidell, an Atheiſt? Did all theſe ſucceed *Peter*? yea ſure; as diſeaſes ſucceed health. Were theſe *Seruants of Seruants*? yea, euen as *Diogenes* called *Alexander* ſeruant of ſeruants; as being ſlauiſh to his owne concupiſcences and deſires. And ſeeing good life is a fruit of faith; ſeeing faith is expreſſed by actions of life: ſhall wee ſay that theſe men who liued in this ſort, could neither erre nor faile in faith? Alas! how then would they haue lined, if they could haue erred or failed in faith?

I will not digge deepe into this dunghill: I omit the famous ſcandalls of that Sea, *Formoſus* and his IX. Succeſſors. I will not ſpeake of the hereſies of *Iohn* the 23. of the ſcandalous deportments of *Eugenius* the 4. of the Inceſts, Sorceries, Poyſonings, and cut-throat cruelties of *Alexander* the 6. of the couetouſneſſe, the cruelties, the periuries, the blaſphemies, the adulteries, the Sodometries, the diſdainfull pride, the cunning diſſimulation, and other infamous behauiour of diuers other Biſhops of Rome. It is notorious with what detriment to Chriſtian Countries, *Eugenius* violated the League which had beene ſworne with the Turke, & *Alexander* the 6. cauſed *Zizimus* the Turks brother to bee empoyſoned. I will involue in ſilence the two monſters lately hatched within that Sea; to the broad blemiſh of religion, to the vtter ouerthrow of ciuill ſociety: the one Æquiuocation, the other Parricide of Princes, and raiſing rebellions for the cauſe of Religion. In one word to the poynt of our purpoſe. as Chriſt denyed the Iewes to bee the Children of *Abraham*, becauſe they did not the workes of *Abraham*; and as Saint *Paul* ſaid, that the children, not of the fleſh, but of the faith of *Abraham*, were to bee accounted his ſeed: in regard whereof Saint *Iohn* alſo ſaid, that many affirmed themſelues to be Iewes, who were not:

Iohn 8.39.

Rom.4.16. & 9.7. Gal 3.7.

Reuel.2.9.

not: so wee may safely defend, that the true succession of Saint *Peter* and of the other Apostles consisteth, not in comming after them in place, but in holding their doctrine, and imitating their godlinesse in life. *This* (saith *Gregory Nazianzene*) (and not succession in place) *is in proper sense to bee taken for succession. For hee that professeth the same faith, possesseth also the very same Chaire; the difference of Sea, is the difference in faith. This is a succession in truth and indeed; that is onely a Succession in name. Stratocles* published in the Citie of Athens, that whatsoeuer the Tyrant *Demetrius* should ordaine, the same was to bee esteemed holy before God, and iust before men. When *Cambises* was desirous to espouse his Sister, the fact was iustified by this Law of the Persians; *The King may doe whatsoeuer hee please.* Doubtlesse, (said hee) many Bishops of Rome in claiming *Hyperbolicall* power, to beare through *Diabolicall* drifts, haue beene rather Successors to these men, then to any of the Apostles.

De laudibus Athanasij. οὐκ ἦττον τῆς εὐσεβείας ἡ προεδρέας αὐτοῦ διάδοχος: ἢν δὲ καὶ κυρίως ὑπολεπτέον διάδοχον. τὸ μὲν γὰρ ὁμόγνωμον, καὶ ὁμόθρονον; τὸ δὲ ἀντίδοξον, καὶ ἀντίθρονον: καὶ ἡ μὲν προσηγορία, ἡ δὲ ἀλήθειαν ἔχει διαδοχῆς.

To conclude, with answere to those who can finde a difference betweene the Pope and the Pope; betweene the Pope as being a man, and the Pope as being Bishop of Rome; betweene the Pope in his Consistory, and the Pope in his Palace, or among his Souldiers in the field; betweene the Im-

periall and Pontificall Pope; I will tell you what *Fulgosius*, he that was throwne out of State in *Liguria*, reported of a certaine Archbishop of *Colen*. As this Archbishop being also Duke of *Colen*, passed through a small Village in *Germanie*; with so great a traine of armed men (according to the fashion of that people) that it neerely approched the greatnesse of an armie: a certaine countrey fellow brake foorth into a loude laughter against him. And being therefore presented before the Archbishop, he boldly said; that he could not refraine both to laugh and to admire; considering the great pouertie, the great humilitie, wherein the Apostles passed the trauailes of this life: that they who carrie themselues for the Apostles successors, should thus plunge themselues both in plentie and in pride. Simple fellow, said the Archbishop, I doe now beare the state and presence of a Duke; I represent an Archbishop when I am within the Church. At this speech, the fellowe did rise into a more broad and bold laughter. And being demanded the cause therof: I pray you, said hee, whilest this Duke ruineth the Church, both by action & example; how is the Bishop in the meane time busied? And when this Duke for this cause shall goe to the Deuill, what shall then become of the Bishop?

Fulg. Collectan. lib. 6.

There was not any amongst vs, who did not

not countenance this conceit with a ſmile. And this had put a period to our diſcourſe, had not one maintained it with further ſpeech: That hee would gladly heare theſe queſtions ſo fully followed, as then he ſaw them fairely laid. Affirming, that thereby he ſuppoſed it would appeare; that it is impoſſible to find a worke of ſo great waight, as is the Supremacie of the Biſhop of Rome, vpon ſo weake and feeble a foundation. But this will require (ſaid hee) both the leaſure and labour of ſome excellent Diuine.

True (anſwered the Biſhop) and yet many of theſe queſtions haue a mixture of humanitie: a mixture alſo both of the Ciuill and Canon Law. And I haue often maruailed (with that hee caſt a ſide countenance vpon me) by what meanes it falleth, when in other countries the Profeſſors of theſe Lawes are moſt accompliſhed Schollers, and fitteſt for matters of mixt profeſſions: but in England onely, diuers of the chiefe of them either are, or (at leaſtwiſe) are reputed to be men of emptie boldnes: not only not being well ſeaſoned and qualified either in their owne profeſſion, or in any other; but hating and oppoſing againſt thoſe (as I haue heard) whom they thinke ſo eſteemed.

I was forward to haue anſwered. But it appeared, that the intent of the Biſhop was, by croſſing into this queſtion, to cut off the other.

other. For, referring this poynt to a more priuate conference betweene him and mee, hee fell into varietie of other talke. So the time being well ſpent, after ſome ceremonies of curteſie, all of vs withdrew, whither our particular occaſions did leade.

FINIS.

LONDON
Printed by IOHN BILL,
M. DC. XXIIII.